

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33624 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- HATHAURI District- Samastipur

Ram Nath Ram, aged about 45 years (Male), Son of Rajendra Ram, Resident of village- Dumra Mohan Tola dhur, P.s.- hathauri, District- Samastipur, State- Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate.

For the Opposite Party : Smt. Madhurai Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

A supplementary affidavit has been filed on behalf of the petitioner enclosing the charge sheet submitted in the present case. The same may be kept on the record.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 307, 504 and 379/34 of the I.P.C.



The prosecution story, in brief, is that on 25.06.2020, a hot discussion was going on in between the brother of the informant Dilip Ram and his villager-Rajesh Ram due to wages. On the same day, at evening at about 8.30 P.M., Ram Nath Ram (petitioner), Santosh Ram, Rajesh Ram came at his door and started abusing. On forbidden by the informant, Ram Nath Ram (petitioner) given *Paghariya* blow upon the head of the informant causing cut injury on his head, blood oozing and fell down on the ground. When his brother Sudhir Ram came to rescue then Ram Millan Ram, Sanjay Ram, Manish Ram, Bachha Babu Ram came at the place of occurrence and Manish Kumar and Milan Ram caught his brother Sudhir Ram and thereafter Arun Ram took *Paghariya* from the hand of Ram Nath Ram (petitioner) and given *Phaghariya* blow upon the head of Sudhir Ram, due to which he sustained injury and Santosh Ram assaulted to him by means of rod on his head, due to which blood oozing out from his nose as well as other accused persons assaulted to him by means of fists and slaps and they took silver *Sikari* from the neck of his mother and thereafter injured persons were treated at *Shivajinagar Government Hospital*.

It has been submitted by learned counsel for the



petitioner that the petitioner is in custody since 06.06.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous enmity. In course of investigation, the police has found the case to be false for an offence under Sections 307 and 379 of the I.P.C. The same is evident from Annexure-1 to the supplementary affidavit filed on behalf of the petitioner where the police report has been enclosed.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Rosera, Samastipur, in connection with Hathauri P.S. Case No. 67 of 2020.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

