

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69673 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- BARARI District- Katihar

1. Prakash Ram, Age 35 years, Male,
2. Shambhu Ram, Age 21 years, Male,
3. Abhijit @ Abhijit Ram, Age 30 years, Male,
All are S/o Shrawan Ram, R/o Ghuski, P.S.- Barari, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 16-03-2020

Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in connection
with Barari PS Case No. 94 of 2019 dated 23.03.2019 instituted
under Sections 341/323/324/325/307/504/34 of the Indian Penal
Code.

3. The allegation against the petitioners and two
others is of assault by sharp edged weapon and also iron rod
resulting in injuries to the informant and his relatives.

4. Learned counsel for the petitioners submitted
that there was mild skirmish between the parties for which



Barari PS Case No. 95 of 2019 dated 23.03.2019 has been lodged by wife of one of the accused in the present case under Sections 341/323/324/325/379/504/34 of the Indian Penal Code. Learned counsel submitted that injuries have been found to be simple caused by hard blunt substance and with regard to the injury on the leg, opinion has been reserved. It was submitted that the petitioners have no other criminal antecedent.

5. Learned APP, from the case diary, submitted that the petitioners are alleged to have been the persons who have assaulted the informant and his family members causing injuries. However, he did not controvert that with regard to injuries, as has been reported by the doctor, the same have been found to be simple and of the injury on the leg of two victims, opinion has been reserved.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in Barari PS Case No. 94 of 2019, subject to the conditions laid down in Section



438(2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close relative of the petitioners. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

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