

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13542 of 2021**

Arising Out of PS. Case No.-607 Year-2020 Thana- MANER District- Patna

=====

PRADEEP RAY @ PRADEEP KUMAR S/O SHYAM BIHARI RAI R/o
village- Brahmchari Sherpur Pokhara, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Kamlesh Prasad Yadav, Adv.
For the Opposite Party/s	:	Ms. Anita Kumari Singh, APP
For the Informant	:	Mr.Satish Chandra, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in
connection with Maner P.S. Case No.607/2020 registered for the
offences punishable under Sections 147, 148, 149, 448, 307,
302, 379, 504 and 506 of the Indian Penal Code.

The prosecution case in brief is that one Ajay Kumar
lodged a written report alleging therein that on 05.11.2020 while
the informant was sitting at his door in the meantime all the
F.I.R. named accused persons came there having lashed with

various arms in their hands and assaulted the brother of the informant on his head by an iron rod. It is alleged that thereafter the brother of the informant was taken to P.M.C.H. where he died in course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that in the FIR no specific allegation has been made against this petitioner and he has not been attributed with any specific weapon in his hand. He submits that the specific allegation of assault on Kamal Kishore Rai, Upendra Rai and Akash Kumar have been made against the co-accused. It is submitted that the petitioner is in custody since 10.11.2020 having no criminal antecedent.

Learned APP for the State and learned counsel for the informant have opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in the FIR no specific allegation has been made against this petitioner, he has not been attributed with any specific weapon in his hand, the specific allegation of assault on Kamal Kishore Rai, Upendra Rai and Akash Kumar have been

made against the co-accused, learned counsel for the informant is unable to distinguish the case of the petitioners from that of those who have been granted bail by this Court in Cr.Misc.No.18027/2021, the petitioner having remained in custody since 10.11.2020, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Danapur in connection with Maner P.S. Case No.607/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify

the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

arvind/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.