

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20981 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- PIRO District- Bhojpur

1. HARENDRA RAM S/o Tetiha Ram R/o village- Nonar, P.S.- Piro (Hasan Bazar), District- Bhojpur
2. Dharmendra Ram S/o Tetiha Ram R/o village- Nonar, P.S.- Piro (Hasan Bazar), District- Bhojpur
3. Krishna Ram S/o Late Dhankeshwar Ram R/o village- Nonar, P.S.- Piro (Hasan Bazar), District- Bhojpur
4. Awadhesh Ram S/o Late Bachcha Ram R/o village- Nonar, P.S.- Piro (Hasan Bazar), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 03-11-2021 Learned counsel for the petitioners 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 petitioners and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Piro (Hasan Bazar) P.S. Case No.127 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code. They are in custody since 09.06.2020. The petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that as per



the prosecution story all the accused persons including these petitioners in a planned way attacked on the informant then the informant's father intervened to save the informant but he was also assaulted by the accused persons by means of lathi, danda and iron rod due to which he died in course of his treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that the allegations are general and omnibus. There is no specific injury has been attributed to these petitioners. It is submitted that the petitioners are in custody in connection with this case since 09.06.2020 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the allegation is that 12 named accused had assembled at the door of the informant and they had assaulted the father of the informant and others, the allegations are general and omnibus, the postmortem report according to learned APP for the State shows only two injuries caused by hard and blunt object, no specific injury has been attributed to these petitioners, they have remained in custody in connection with this case since 09.06.2020, investigation against them is complete and they have otherwise no



criminal antecedent, this Court directs that petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Bhojpur at Ara in connection with Piro (Hasan Bazar) P.S. Case No.127 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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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'.

