

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23319 of 2021**

Arising Out of PS. Case No.-34 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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RAMBABU PAL S/o Dinesh Pal R/o Sant Ghat, Ward No. 15, P.S.- Bettiah
(Town), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 30-09-2021 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 and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Bettiah (Town) P.S. Case No.34/2020 registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 307, 379, 384 and 504 of the Indian Penal Code. He is in
custody since 27.11.2020. The petitioner has got two criminal
antecedents as stated in paragraph '3' and in both the cases he is
said to be on bail.

The prosecution story in short is that on 15.01.2020 at
about 7.30 in the evening the informant had gone to purchase
vegetable. In the meanwhile, petitioner and co-accused surrounded



him and this petitioner along with Vijay Pal demanded Rs.50,000/- as rangdari. It is alleged that on the order of co-accused Vijay Pal and other accused persons assaulted him by iron rod on his head. It is further alleged that when his father came to save him this petitioner and other accused assaulted his father by iron rod with intention to kill him. The petitioner also assaulted the mother of the informant and snatched Rs.20,000/- and golden chain from the mother of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to village politics. Learned counsel submits that there is no specific allegation of assault against this petitioner and there is a case and counter case between the parties. It is submitted that the petitioner is in custody in connection with this case since 27.11.2020.

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

Having regard to the facts and circumstances of the case wherein allegedly this petitioner had assaulted the father and mother of the informant, however, submission is that altogether four accused persons are said to have assaulted the father of the informant, he sustained one simple injury and the mother of the informant sustained two simple injuries, the petitioner has



remained in jail in connection with this case since 27.11.2020, investigation against him is complete and further that there is a counter version of the present occurrence for which the petitioner's side has lodged Bettiah (Town) P.S. Case No.35/2020, 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 C.J.M., Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No.34/2020, 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 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)

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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'.

