

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25479 of 2021**

Arising Out of PS. Case No.-334 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Manoj Ram, Son of Raghunandan Ram, R/O Village- Chakasharaf Nirpur, P.S.- Muffasil, District- Samastipur.
 2. Sangita Devi, Wife of Manoj Ram, R/O Village- Chakasharaf Nirpur, P.S.- Muffasil, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashish Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-09-2021 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 Mr. Narendra Kumar Singh, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Samastipur (M) P.S. Case No. 334 of 2020 registered for the offence punishable under Section 147, 148, 149, 302, 307, 323, 324, 341, 447, 506 of the Indian Penal Code. They are in custody since 11.08.2020. Petitioners have otherwise no criminal antecedent.

Learned counsel for the petitioners submits that the

informant is an eye witness to the alleged occurrence and he has specifically narrated as to who assaulted whom. It is pointed out that so far as the said assault caused to the deceased Birju Ram is concerned, there is a specific allegation that co-accused Anil Ram had assaulted him on his head and then co-accused Ranjit Ram had also assaulted him. This petitioner has not also assaulted the deceased.

It is further submitted that the co-accused Mohan Ram against whom in the F.I.R. there is specific allegation that he had assaulted Chandradeep Ram and had fractured his both hands has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 20133 of 2021.

Mr. Narendra Kumar Singh, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioners but considering that the allegations are general and omnibus that 14 named accused had surrounded the informant's side but neither any weapon has been attributed in the hand of the petitioners nor any specific allegation is there against them of commission of any overt act, moreover, the co-accused Mohan Ram has already been granted bail by a learned coordinate Bench of this Court, in the nature of the materials present, this Court directs release of the petitioners above

named 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. IInd, Samastipur in connection with Samastipur (M) P.S. Case No. 334 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)

vats/-

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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'.