

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37086 of 2021

Arising Out of PS. Case No.-194 Year-2020 Thana- NAGARNAUSA District- Nalanda

RAMCHANDRA PRASAD Son of Late Jagdish Mahto @ Late Jagdish
Prasad Resident of Village - Lachu Bigha, P.s.- Nagarnausa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

At the outset, counsel for the petitioner submits that due to a typographical error of inadvertence, the case no. has wrongly been typed as 184/2020 instead of 194/2020, which would be evident from the copy of FIR (annexure 1) and para 1 of the petition the mistake is apparent.

The Court would therefore direct that Nagarnausa P.S. Case No. 184/2020 be read as P.S. Case No. 194/2020.

Petitioner seeks bail in connection with Nagarnausa



P.S. Case No. 194 of 2020 registered under Sections 341, 323, 307, 504, 506 and 379/34 of the Indian Penal Code.

Petitioner's counsel prays for grant of bail on the ground of parity with co-accused Sudhir Kumar.

It is submitted by petitioner's counsel that as per allegation assault by butt of pistol is attributed upon Sudhir Kumar, who has been allowed bail in Cr. Misc. No. 29170/2021. The petitioner is the alleged order giver. He has no criminal antecedents and he is in custody since 27.02.2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Hilsa (Nalanda) in Nagarnausa P.S. Case No. 194 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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