

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31784 of 2020

Arising Out of PS Case No.-191 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

1. Ram Janam Ram, aged about 68 years, Male Son of Late Bilagu Ram.
 2. Ram Sakal Ram, aged about 45 years, Male, Son of Late Bilagu Ram.
 3. Sunil Ram @ Sunil Kumar Ram, aged about 35 years, Male, Son of Ram Janam Ram.
 4. Anil Ram @ Anil Ku Ram, aged about 30 years, Male, Son of Ram Janam Ram.
 5. Kamlesh Ram @ Kamlesh Kumar Ram, aged about 22 years, Male, Son of Ram Janam Ram.
 6. Manoj Ram @ Manoj Kumar Ram, aged about 21 years, Male, Son of Ram Janam Ram.
- All resident of village- Pipariya, PS Chand, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 12-03-2021

Heard Mr. Rajani Kant Pandey, learned counsel for the petitioners and Mr. Nand Kumar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Chand PS Case No. 191 of 2019 dated 23.11.2019, instituted under Sections 341, 323, 325, 337, 379, 354B and 504/34 of the Indian Penal Code.



3. The allegation against the petitioners is general and omnibus, of assault by means of bricks and specifically against other co-accused womenfolk of pulling down the mother of the informant and snatching her gold chain.

4. Learned counsel for the petitioners submitted that the allegations are false and frivolous and there was a minor scuffle between the parties. Learned counsel submitted that there is no motive disclosed in the FIR and further that the injuries are simple in nature as has been noted by the learned ADJ-V, Kaimur at Bhabua in order dated 19.06.2020, while rejecting the prayer for anticipatory bail of the petitioners. It was submitted that the petitioners have no criminal antecedent.

5. Learned APP submitted that there is allegation of assault by bricks. However, he could not controvert the fact that the same are general and omnibus and the Court below has noted that the injuries were simple in nature.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Kaimur at Bhabua and/or other transferee Court in Chand PS Case No. 191 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners, and (iii) that the petitioners shall also give an undertaking to the Court that they shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

7. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioners, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioners.



8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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