

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33947 of 2020

Arising Out of PS Case No.-271 Year-2020 Thana- MASHRAK District- Saran

1. Pappu Ram @ Pappu Kumar Ram, aged about 28 years, Gender-Male, Son of Ramjit Ram.
2. Ramjit Ram, aged about 60 years, Gender-Male, Son of Shivpujan Ram.
3. Madan Ram, aged about 46 years, Gender-Male, Son of Srinath Ram.
4. Arun Ram, aged about 29 years, Gender-Male, Son of Sitaram.
5. Parmeshwar Ram, aged about 75 years, Gender- Male, Son of Mishri Ram. All resident of Village and PO- Mahesh Chapra, PS- Mashrakh, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarva Deo Singh, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-04-2021

Heard Mr. Sarva Deo Singh, learned counsel for the petitioners and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Mashrak PS Case No. 271 of 2020 dated 22.05.2020, instituted under Sections 147, 148, 149, 341, 307, 323, 325, 354B, 379, 448, 504, 506 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, 1961.



3. The allegation against the petitioners is general and omnibus of assault on the informant side leading to injury and specifically against petitioner no. 3 of having given blow resulting in fracture of the arm of the husband of the informant.

4. Learned counsel for the petitioners submitted that there was general scuffle between the parties and there is also a counter case in which there are injuries on the side of the petitioners also. It was submitted that the petitioners have clean antecedent.

5. Learned APP submitted that there is allegation of assault against all the petitioners. However, it was not controverted that the grievous injury of fracture of hand on the husband of the informant is specifically against petitioner no. 3.

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 petitioner no. 1 namely, Pappu Ram @ Pappu Kumar Ram; petitioner no. 2 namely, Ramjit Ram; petitioner no. 4 namely, Arun Ram and petitioner no. 5 namely, Parmeshwar Ram 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 ACJM,



Vith, Saran at Chapra in Mashrak PS Case No. 271 of 2020, 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 said petitioners, (ii) that the said petitioners and the bailors shall execute bond with regard to good behaviour of the said petitioners and the said petitioners shall co-operate with the police/prosecution and the Court. Any violation of the terms and conditions of the bonds or failure to co-operate shall 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 said petitioners, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the concerned petitioners.

8. The application for pre-arrest bail on behalf of petitioner no. 3 namely, Madan Ram stands rejected.

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

(Ahsanuddin Amanullah, J.)

P. Kumar

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