

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47839 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- BISFI District- Madhubani

1. Ram Kamat S/O- Late Bauka Kamat R/o Village- Bhojpandaul, P.S.- Bisfi, District- Madhubani.
2. Raju Kamat S/o Ram Kamat Resident of Village- Bhojpandaul, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioners, as well as the learned counsel for the Informant and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Bisfi P.S. Case No. 334 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 302, 354, 504, 147, 148, 149 of the Indian Penal Code.

According to prosecution case, allegation of assault. Due to village politics and previous enmity between the informant's family and the petitioners, they have been



implicated in the present case.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case. It is further submitted that it appears from the F.I.R. itself that the specific allegation of assault against the one co-accused Ramesh Mandal and there is no specific allegation against the petitioner. Learned counsel further submits that co-accused namely Saroj Kamat @ Saroj Kumar Kamat and Manoj Chaudhary @ Manoj Kamat have been granted bail by a co-ordinate Bench of this court vide order dated 04.10.2021 passed in Cr. Misc. No. 53728 of 2021. Petitioners are in custody since 25.09.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 334 of 2020, subject to the following conditions:-



1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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