

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35560 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- SANDESH District- Bhojpur

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1. Kriya Ram @ Bablu Ram @ Bablu Kumar, age- 19 years, Male, Son of Awadhesh Ram.
 2. Sudhir Ram, age-20 years, Son of Late Deo Kumar Ram.
 3. Kamlesh Ram, age-44 years, Son of Late Raj Kumar Ram.
 4. Jugesh Ram, age-36 years, Son of Late Raj Kumar Ram.
 5. Lalan Ram, age- 38 years, Son of Late Deo Kumar Ram.
 6. Pappu Ram, age- 22 years, Son of Shiv Kumar.

All are resident of Village- Nasratpur, PS- Sandesh, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 10-08-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.



3. The petitioners apprehend arrest in connection with Sandesh PS Case No. 113 of 2020 dated 19.04.2020, instituted under Sections 147, 149, 447, 448, 341, 323, 324, 325 and 307 of the Indian Penal Code.

4. The allegation against the petitioners is that they had assaulted the informant and her relatives causing injuries.

5. Learned counsel for the petitioners submitted that the parties are agnates and there was fight between them for which there is also a counter case. It was submitted that even as per the allegation, the same are general and omnibus in nature except against petitioner no. 5, who is said to have assaulted, along with others, not petitioners herein, with iron rod on the head of Rajendra Ram. Learned counsel submitted that the petitioners have no other criminal antecedent and even in the FIR, no reason has been mentioned as to why the occurrence took place.

6. Learned APP submitted that the injury report shows two grievous injuries on the injured person. However, it was not controverted that only against petitioner no. 5, Lalan Ram, it is specific that he along with some other co-accused had assaulted by iron rod on the head and against the other petitioners, the allegations are general and omnibus.



7. 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, petitioner no. 1, namely, Kriya Ram @ Bablu Ram @ Bablu Kumar; petitioner no. 2, namely, Sudhir Ram; petitioner no. 3, namely, Kamlesh Ram; petitioner no. 4, namely, Jugesh Ram and petitioner no. 6, namely, Pappu 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 1st Class Judicial Magistrate or concern Court Bhojpur at Ara in Sandesh PS Case No. 113 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 and give undertaking with regard to good behaviour of the said petitioners and (iii) that the said petitioners shall co-operate with the Court and police/prosecution. Any violation of the terms and conditions of the bonds or the undertaking or failure to co-operate shall lead to cancellation of their bail bonds.

8. 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.

9. The prayer for pre-arrest bail of petitioner no. 5, namely, Lalan Ram, stands rejected.

10. The petition stands disposed of in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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