

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36061 of 2020**

Arising Out of PS. Case No.-55 Year-2020 Thana- NAVINAGAR District- Aurangabad

Jitendra Ram S/o Mahendra Ram @ Dukhi Ram R/o Village- Bara Tetariya,
P.s.- Nabinagar (Badem O.P.), District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 07-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Nabinagar (Badem O.P.) P.S. Case No. 55 of 2020 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 337, 354, 504 and 506 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

As per the prosecution story, the sister-in-law of the informant was doing some stuff in her house when the petitioner



and other co-accused came and started abusing and threatening and when the informant intervened to pacify the matter one Sanjeet Ram attacked him by a gandasa and in order to save himself his hand got cut. The brother of the informant was also assaulted by the accused persons and was seriously injured and during treatment he died of the injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the specific allegation of assault is against the co-accused Sanjeet Ram who had assaulted the informant by a gandasa. Learned counsel submits that Rampati Ram and Dharmendra Ram have been granted bail by this Court. It is submitted that the petitioner is in custody since 07.07.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the specific allegation of assault has been made against the co-accused Sanjeet Ram who had assaulted the informant by a gandasa, so far as the present petitioner is concerned, he is named one amongst the eleven accused and there are general and omnibus allegations against him, co-



accused Rampati Ram and Dharmendra Ram have been granted bail by this Court and the petitioner had already remained in jail in connection with the present case since 07.07.2020, investigation against him is complete but the trial is not likely to be taken in near future, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Nabinagar (Badem O.P.) P.S. Case No. 55 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

