

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3592 of 2021**

Arising Out of PS. Case No.-127 Year-2020 Thana- PIRO District- Bhojpur

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TETIHA @ TETIHA RAM @ NIWASH RAM @ NIWASHI RAM S/o Late
Butan Ram Resident of Village- Nonar, Police Station- Piro (Hasan Bazar),
District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar .

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s :

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

2 26-03-2021 Heard learned counsel for the petitioner. No one appears for the State. The Technical Assistant has informed that he had contacted the learned A.P.P. and had requested him to join the proceeding, however, he has not joined. Link has been sent to him.

Petitioner in the present case is seeking regular bail in connection with Piro (Hasanbazar) P.S. Case No. 127 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the First Information Report itself it would appear that so far as this petitioner is concerned, there is no allegation that he had caused any assault on the deceased. His name has transpired as



one of the members who had assembled at the time of alleged occurrence. The specific allegation of assault is against Harendra Ram, Dharendra Ram, Krishna Ram and Awadhesh Ram.

It is further submitted that so far as this petitioner is concerned, he has been made accused only because he happens to be father of the co-accused Dharendra Ram and Harendra Ram. He has otherwise no criminal antecedent and is languishing in jail since 03.06.2020, investigation against him is complete but there is no chance of early conclusion of trial.

Having regard to the facts and circumstances of the case, there being no allegation of causing assault against this petitioner, he has remained in jail for more than nine months, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs that 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 A.C.J.M.-V, Bhojpur at Ara in connection with Piro (Hasanbazar) P.S. Case No. 127 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'.

