

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36275 of 2020**

Arising Out of PS. Case No.-83 Year-2020 Thana- KARPI District- Jehanabad

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RANJAY KUMAR @ RANJAN KUMAR Son of Sri Charan Das @ Shricharan Das Resident of Village - Rampur Chai, Rampurchae, Rampurchai, P.S.-Karpi, District-Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. S. K. Lal, Advocate
For the Informant	:	Mr. Umesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimudding, APP

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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, learned counsel for the informant and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Karpi (Sehar Telpa O.P.) P.S. Case No. 83 of 2020 registered for the offences punishable under Sections 341, 323, 147, 148, 149, 307 and 504 of the Indian Penal Code later on Section 302 of the Indian Penal Code was added.

As per the prosecution story, when the informant along with his brother (Laxman Rajak) was working in his



maize field the petitioner along with other accused variously armed came there and started assaultin the informant and his brother by lathi, danda and khanti causing injury to them. It is further alleged that when his brother and nephew came to save them they were also assaulted and further the brother of the informant (Laxman Rajak) had died in course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further stated that the altercation took place on a trivial matter and one of the co-accused has been granted bail. Learned counsel submits that the petitioner is in custody since 09.05.2020 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 this Court has noticed that there are general and omnibus allegations against the accused persons including this petitioner of causing assault upon the informant and others, the specific submission of learned counsel for the petitioner that though seven persons are said to have assaulted the deceased but only one injury has been found in his post-mortem report has not been controverted by Mr. Md. Fahimuddin, learned APP for



the State, one of the co-accused has been granted bail, the petitioner has otherwise no criminal antecedent, the petitioner is in custody for over one year but the trial is not likely to be concluded in near future, the trial court's report shows that till now only charge has been framed and no witness has been examined so far, 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 Sub-Judge-cum-Additional Chief Judicial Magistrate-IV, Arwal, Jehanabad in connection with Karpi (Sehar Telpa O.P.) P.S. Case No. 83 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'.

