

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4410 of 2021

Arising Out of PS Case No.-309 Year-2019 Thana- PALIGANJ District- Patna

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Ramjee Sao, aged about 59 years, Gender-Male, Son of Late Varun Sao @
Badhu Sao, Resident of Village- Purani Saraiya, PS- Paliganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Narayan Chaubey, Advocate

For the State : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Ambuj Narayan Chaubey, learned counsel
for the petitioner and Ms. Renu Kumari, learned Additional Public
Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner apprehends arrest in connection with
Paliganj PS Case No. 309 of 2019 dated 22.08.2019, instituted
under Sections 147, 148, 448, 341, 323, 324, 307, 504, 427 and
379 of the Indian Penal Code.

4. This is the second attempt for grant of anticipatory
bail as earlier such prayer was not pressed on 09.12.2019 in Cr.



Misc. No. 78154 of 2019, and only on behalf of co-accused Arun Kumar, the same was pressed and the Court had also granted him pre-arrest bail.

5. The allegation against the petitioner is that he, along with others, had assaulted the informant and his family members and specifically against the petitioner is that he had inflicted iron rod blow on the stomach of pregnant sister of the informant.

6. Learned counsel for the petitioner submitted that at the earlier instance, such prayer was not pressed in view of the specific allegation that the petitioner had hit on the stomach of the pregnant sister of the informant but only complain of pain in abdomen and light bruises have been found during medical examination and she was referred to PMCH for diagnosis. It was further stated that she did not submit any report of any injury. Learned counsel referred to the information received under the Right to Information Act from the Deputy Superintendent, PMCH which states that there is no entry of any patient by the name of Anjani Kumari wife of Guddu Prasad being admitted in PMCH from 21.08.2019 to 25.08.2019. It was submitted that Anjani Kumari wife of Guddu Prasad is the informant's sister who is said to have been given blow by iron rod by the petitioner on the



stomach which is mentioned in the FIR itself. Learned counsel further submitted that the petitioner has no criminal antecedent.

7. Learned APP submitted that the allegation in the FIR is of hitting the pregnant sister of the informant on the stomach. However, she did not controvert that the injury report and the informant from PMCH do not corroborate the allegation.

8. 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, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Danapur (Patna) in Paliganj PS Case No. 309 of 2019, 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 petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner and he shall co-operate with the police/prosecution and the Court. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds.



9. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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