

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9535 of 2021**

Arising Out of PS. Case No.-126 Year-2020 Thana- NASRIGANJ District- Rohtas

CHITRANJAN RAM @ CHITRANJAN S/O Sri Bhagwan Ram Resident of
Village - Taraon, P.S. - Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-07-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Nasriganj P.S. Case No.
126 of 2020, registered for the offence punishable under
Sections 307, 323 and other allied sections of the Indian Penal
Code.

As per the prosecution case, on the alleged date of
occurrence while the informant's brother came out from his
house for walking, all the accused persons including this
petitioner came there and from behind put *Gamcha* on his neck
and pulled him due to which he fell down in drain. This
petitioner caught hand of informant's brother and other co-



accused having armed with *Farsa*, *lathi* and *Garasa* came and cut his neck.

It is submitted on behalf of the petitioner that there is case and counter case and father of petitioner had lodged Nasriganj PS case No. 125 of 2020 against the informant and others. Petitioner is only alleged to have caught hand of informant's brother. Informant is not the eye-witness of the occurrence. During course of investigation, the statement of injured has been recorded by the police in which he has specifically stated that co-accused Umesh Ram had given *Farsa* blow on his neck due to which he became injured. Injury report does not support the prosecution case. Petitioner is having clean antecedent and he is in custody since 26.08.2019.

Considering the facts and circumstances of the case and clean antecedent of the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Nasriganj P.S. Case No. 126 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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