

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8941 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- HASPURA District- Aurangabad

RAM PRAVESH RAM SON OF UGESHWAR RAM R/O VILLAGE-
PHATEHPUR TOLA JHOURIBIGHA, P.S.- HASPURA, DISTRICT-
AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ataul Haque, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Haspura PS Case No. 79 of 2020 registered under Sections 147, 148, 149, 302, 120(B) of the IPC and Section 27 of the Arms Act.

It is alleged that the informant was going to the market with the deceased and another person. All the accused persons were waiting and have allegedly assaulted them by various means.

Learned Counsel for the petitioner submits that against the petitioner the role assigned is that he participated in the assault with a stick. Specific fire arm injury has been alleged against co-accused Nabin Ram and Ranjan Kumar. Petitioner has one criminal antecedent since before and he is on bail in the same case. Petitioner's case is on better footing than co-accused namely Bipin



Ram, @ Bipin Kumar who has been allowed bail in Cr. Misc. No. 39608 of 2020. Petitioner is in custody since 5.6.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Daudnagar in Haspura PS Case No. 79 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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