

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11537 of 2021**

Arising Out of PS. Case No.-214 Year-2019 Thana- KADWA District- Katihar

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1. Ranjeet Rishi @ Ghotay Rishi @ Ghotai Rishi Son of Late Ramphal Rishi
 2. Vikesh Rishi Son of Ranjeet Rishi @ Ghotay Rishi @ Ghotai Rishi both Resident of Village - Chauni, P.S. - Kadwa, District - Katihar
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah, Adv.
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 13-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted the informant by means of slap and fist. It is further alleged that when nephew of the informant came to save him, then Ranjeet Rishi blow knife in his abdomen due to which he received injury.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that occurrence take place on 05.09.2019 but FIR was lodged on 10.09.2019 and there is no explanation of



such delay. He submits that petitioners are Gotiya and villagers and due to enmity, petitioners have been made accused in this case. He further submits that petitioners bear no criminal antecedent and they are languishing in judicial custody since 22.11.2019.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kadwa P.S. Case No. 214 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the petitioners will be well represented on each and every date fixed in the case and if they fail to do so on two consecutive dates their bail bonds shall be liable to be cancelled.



(III) that the petitioners will mark their attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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