

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3128 of 2022

Arising Out of PS. Case No.-245 Year-2007 Thana- HAJIPUR SADAR District- Vaishali

Naresh Ram S/o Nathuni Ram R/o Village- Kanhauli, Vishanparsa, P.S.-
Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yatindra Narayan

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 28-11-2022 Heard Ld. counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Session's Trial No. 181 of 2018 (Arising out of Hajipur
Sadar Police Station Case No. 245 of 2006-07), registered
for the offences punishable under Sections 147, 148, 149,
341, 342, 323, 324, 307 and 302 of the Indian Penal Code,
Section 27 of the Arms Act and Section 17 of the CLA, Act.

The prosecution story as emerging from the FIR is
that 20-25 unknown armed miscreants have assaulted the
informant, Krishna Kumar Thakur, his cousin and some co-
villagers in front of a veterinary medicine shop at Panapur



Pethia. They also opened fire due to which informant's cousin died at the place of occurrence.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the case has been lodged against unknown persons and name of the present accused-petitioner has transpired in the confessional statement of the co-accused, Sagar Sahni @ Ram Sagar Sahni. He further submits that similarly situated co-accused persons have been enlarged on bail by different Benches of this Court.

The petitioner has been languishing in jail since 22nd October, 2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has been made accused in i) Mahua Police Station Case No. 100 of 2007 and ii) Goraul Police Station Case No. 56 of 2016.

However, the learned APP for the State



vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. District and Session's Judge, Vaishali at Hajipur in connection with Session's Trial No. 181 of 2018 (Arising out of Hajipur Sadar Police Station Case No. 245 of 2006-07) on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.



(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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