

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8049 of 2022

Arising Out of PS. Case No.-240 Year-2015 Thana- CHARPOKHARI District- Bhojpur

Bhuteli Ram, Son of Shayam Lal Ram Resident of Village - Chandi, P.s.-
Charpokhari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Day, APPal

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with S. Tr. No. 194/2021 arising out of Charpokhari P.S. Case No. 240 of 2015 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other co-accused persons assaulted the son of the informant and he was forcibly taken away by them. The co-accused Munna Paswan fired upon the son of the informant and the shot proved



fatal.

The learned counsel for the petitioner submits that there is no specific allegation against the petitioner. He has been falsely implicated in this case and there is no evidence against him. Other similarly placed co-accused persons have been granted bail by Coordinate Benches vide order dated 15.01.2018 passed in Cr. Misc. No. 2518 of 2018 and order dated 16.4.2019 passed in Cr. Misc. No. 24490 of 2019. Regarding criminal antecedent of the petitioner, the learned counsel submits that he is on bail in all cases. Charge sheet has been submitted in this case and petitioner is in custody since 29.10.2021.

Learned counsel appearing on behalf of the informant opposes the contention of the learned counsel for the petitioner. He submits that the petitioner is having criminal antecedent and he is accused in four cases.

Having regard to the submissions made hereinabove and considering the absence of direct and specific allegation or material against this petitioner and further the fact that other similarly placed co-accused have been granted bail by Coordinate Benches and also taking into consideration the period of custody of the petitioner, the petitioner above named is



directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- XV, Bhojpur, Ara in connection with S. Tr. No. 194 of 2021 arising out of Charpokhari P.S. Case No. 240 of 2015, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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