

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8163 of 2022**

Arising Out of PS. Case No.-61 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Ramratan Yadav, Son Of Dorik Yadav, Resident Of Village- Bikram Rahi,  
P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      26-07-2022                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

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 Ghoghardiha P.S. Case No. 61 of 2021 giving rise to G. R. No. 723 of 2021 registered for the alleged offences under Sections 379, 511, 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

As per prosecution story, the petitioner and other co-accused persons assaulted the informant and his brother causing injuries to them. Allegation against this petitioner is that he gave a blow on the head of the informant with an iron rod. The



occurrence took place in the background of co-accused attempting to steal the motorcycle of the informant which was resisted by the informant who scolded the co-accused.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to village politics by the informant. On the alleged date of occurrence, it was not the petitioner but the informant and his associates who had assaulted the petitioner and others. The present case is a counter blast of C.R. Case No. 161 of 2021 instituted by the son of the petitioner against the present informant and his family members. Learned counsel further submits that the informant's side has lodged four cases against this petitioner and others only to harass them. Though the allegation against the petitioner is that of hitting on the head of the informant by iron rod, but it is clear from the injury report of the informant that only two injuries have been found on the informant and one injury is lacerated wound on scalp and another is abrasion injury on forehead and both the injuries are simple in nature. It shows there was no attempt on the life of the informant and there is no allegation under Section 307 of the IPC. The charge-sheet has been submitted and the petitioner is in custody since 03.08.2020.



Learned APP as well as learned counsel for the informant vehemently opposes the prayer for bail submitting that the petitioner has got a number of cases instituted against him and he is a habitual offender. Moreover, there is specific allegation against this petitioner for hitting on the head of the informant with an iron rod.

Having regard to the submissions made hereinabove and considering the fact that the injuries have been found to be simple and further considering the submission of charge-sheet and the period of his custody, 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 Chief Judicial Magistrate, Jhanjharpur, District-Madhubani, in connection with Ghoghardiha P.S. Case No. 61 of 2021 giving rise to G.R. No. 723 of 2021, 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 on 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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