

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8565 of 2022

Arising Out of PS. Case No.-254 Year-2021 Thana- PARSa District- Saran

Hari Ram Ray S/o Ram Naresh Ray R/o Village- Marar, P.S.- Parsa, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tej Pratap Singh, Advocate
For the Informant	:	Mr. Murlidhar Mishra
		Mr. Shubhash Pandey, Advocates
For the Opposite Party/s :		Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner, learned counsel for the informant as well as learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302 & 325 of the Indian Penal Code.

As per prosecution case, in short, is that on 06.07.2021 at about 11:30 A.M. informant's father after performing his duty came to his house and saw that the accused persons including the petitioner were taking forcefully possession of his land and are forcibly constructing their house.



When the informant's father made objection for this, then under order of Hari Ram Ray to kill him, then Jai Ram Ray inflicted bhala blow upon his head and consequently his head cut and fell down and thereafter other persons came and assaulted with lathi, rod and sword. When informant and his brother Bijendra Kumar Ray and grand father Ram Pukar Ray has come to save the informant's father they they were assaulted by the accused persons. Dinesh Rai assaulted with rod upon leg of the informant's grand father Ram Pukar Rai and consequently his leg got broken, Arjun Ray assaulted with lathi upon the head of the informant's brother Bijendra. All the injured persons went to Government Hospital, Parsa but later on they referred to P.M.C.H. Patna for better treatment where during course of treatment the informant's father died.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that the allegation of assault is against co-accused namely Jai Ram Ray. He further submits that the allegation against the petitioner is that he is the order giver and there is no allegation of assault against the petitioner. He further submits that there is admitted land dispute between the parties



and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.08.2021.

Learned counsel appearing on behalf of the informant as well as learned APP for the State have opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 583 of 2021 arising out of Parsa P.S. Case No. 254 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

