

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9908 of 2022

Arising Out of PS. Case No.-92 Year-2020 Thana- KAUWAKOL District- Nawada

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Anil Ravi Das S/o- Late Kameshwar Ravi Das Resident of Village -
Shekhadaura Tola, Shivpur, P.S. - Kawakole, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Kawakole
P.S. Case No. 92 of 2020 registered for the offence under
Sections 147, 148, 149, 341, 323, 447, 448, 302, 307 and 504 of
the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.09.2021.

The allegation against the petitioner is to assault the
brothers of the informant alongwith other 17 co-accused persons
with deadly weapons like spear etc.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner has been made accused in this case



on extraneous consideration of taking away and assaulting the two brothers of the informant. It has further been submitted that as per post mortem report, only two injuries have been found on the body of the two brothers whereas assault has been alleged to be done by 17 persons. It has also been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has further been submitted that similarly situated co-accused persons have already been granted bail by a learned Co-ordinate Bench of this Hon'ble Court vide order dated 21.12.2020 passed in Cr. Misc. No. 28997 of 2020.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the nature of allegation is very much general as regard to assault.

Considering the facts and circumstances as mentioned above, as the nature of allegation is very much general as regard to assault coupled with the fact that co-accused persons have already been granted bail, let the petitioner, above named, is directed to be released on bail in connection with Kawakole P.S. Case No. 92 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-XIII, Nawada, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(ii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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