

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12590 of 2022

Arising Out of PS. Case No.-376 Year-2020 Thana- RAMNAGAR District- West Champaran

MATHURA RAM, Son of Nathuni Ram Resident of Village- Navgawa,
Police Station- Ram Nagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Tr. No.
2225 of 2021, arising out Ram Nagar P.S. Case No. 376 of
2020, registered for the offences punishable under Sections
147, 148, 149, 341, 323, 337, 338 and 302 of the Indian
Penal Code...

The prosecution story in brief is that with respect
to the dispute over the construction on a plot of land, the
accused persons assaulted the informant and his family
members, due to which son of the informant died.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that allegation against all the accused persons are general and omnibus and there is no specific allegation against the petitioner. He further submits that similarly situated persons, namely, Mukesh Ram and Chintu Ram, have already been granted bail by different Benches of this Court *vide* orders dated 21.02.2022 and 29.03.2022, passed in Cr. Misc. Nos. 44545 of 2021 and 36005 of 2021, respectively.

The petitioner is in custody since 05.11.2020.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer 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 learned Additional Chief Judicial Magistrate 1st, in connection with Tr. No. 2225 of 2021, arising out of Ram Nagar P.S. Case No. 376 of 2020 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 any criminal antecedent, 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 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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