

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.18409 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- AURAI District- Muzaffarpur

Sanjay Ram S/o Ramfal Ram R/o village- Panapur, P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307 of the Indian Penal Code.

According to prosecution case, on the basis of written report of one Ravi Raj alleging therein that on 19.11.2021 his younger brother namely Ghanshyam Kumar, aged about 20 years was present at the door of his uncle namely Pragdas Roy, where Sanjay Ram came and asked his due money and when his brother has told him to return the money in evening he started abusing him and when his brother forbidden from abusing he has caused injury in his stomach by Fasuli. It is alleged that his brother became injured and fell down on earth and he has taken



to hospital for treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the informant has taken money from the petitioner and when petitioner went there at his door to asked his money where they were refused to return his money and started quarrel and assaulting the petitioner by means of Fasali. He further submits that in fact the wife of the petitioner had also lodged complaint Case No. 117 of 2021 against the informant for the same occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.11.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Aurai P.S. Case No. 207 of 2021, G.R. No. 4982 of 2021, subject to 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 witnesses, 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 antecedent, 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)

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