

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23422 of 2022

Arising Out of PS. Case No.-80 Year-2021 Thana- NIMACHANDPURA District- Begusarai

1. Raushan Ram Son Of Dinesh Ram Resident Of Village- Ajhaur, Ward No.10, P.S.- Nimachandpura , District- Begusarai.
2. Rohit Ram S/o Dinesh Ram Resident of Village- Ajhaur, Ward No.10, P.S.- Nimachandpura, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-08-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Sandeep Kumar Gautam, learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners filed supplementary affidavit bringing on record the injury report and the same is kept on record.

Petitioners seek bail in a case registered in connection with Namachandpura P.S.Case No. 80 of 2021 for the offences punishable under Sections 341, 323, 324, 308, 354, 504, 506, 379/34 of the Indian Penal Code.



As per the prosecution case, it is alleged that on account of some trifling matter with regard to throwing water on the road, both the FIR named accused persons armed with lathi came there and assaulted the informant and his son. It is alleged that petitioner no. 1 assaulted on the head of the informant causing head injury and petitioner no. 2 assaulted the son of the informant on his head causing serious injury. It is further alleged that petitioner no. 1 also tried to outrage the modesty of the wife of the informant and other co-accused persons snatched her valuables.

Learned counsel for the petitioners submits that both the parties are Gotiyas and next door neighbour and on account of trifling matter a free fight has taken place and sustained injuries to the persons of both the sides. It is submitted that though there is specific allegation of assault against the petitioners but the same is found to be simple in nature. It is next submitted that the petitioners are men of fair antecedent and they are in custody since 04.02.2022.

On the other hand, learned counsel for the State opposed the bail application of the petitioners.

Having heard the rival contentions of the parties and considering the nature of injuries as well as petty reason of



quarrel and period of detention of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Begusarai in connection with Nimachandpura P.S.Case No. 80 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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