

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33223 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- JADOPUR District- Gopalganj

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LALU RAM Son of Ramprit Ram Resident of Village - Khawajepur, Police
Station - Jadopur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Jadopur P.S.
Case No. 05/ 2020 registered for the offences punishable under
Sections 341, 323, 448, 380, 326, 307, 504, 506, 34 of the IPC.

As per prosecution case, on 10.01.2020 at about 8:00
pm, the petitioner who is pattidar, entered into the house of the
informant and broke lock of the box and took out the ornaments
and cash worth Rs. 20,000/- and fled away. Daughter-in-law of
the informant saw the incident and informed her husband on



phone. Thereafter, the son of the informant came and started to query with the petitioner. In the meantime, the petitioner inflicted knife blow in the stomach and back of informant's son causing injury. It is further alleged that injured fell down there having sustained injury and other accused brutally assaulted the injured by leg, fists and slaps.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case due to dispute of drainage and the petitioner has not participated in the alleged occurrence. He further submits that there was free fight between the parties. He further submits that as per FIR, date of occurrence as mentioned in the FIR is 10.01.2020 whereas the present FIR has been lodged on 13.01.2020 i.e. after delay of three days without any explanation. He further submits that it appears from the injury report that injury is simple in nature. The police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 21.09.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

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 Additional Sessions Judge-1, Gopalganj in connection with Yadopur P.S. Case No. 05/ 2020, G.R. no. 126/ 2020, Sessions Trial no. 64 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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