

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34607 of 2021

Arising Out of PS. Case No.-496 Year-2020 Thana- MAHUA District- Vaishali

VIKASH RAM Son of Rameshwar Ram @ Ramesvar Ram Resident of
Village - Kariho Bhorha, P.S.- Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv
For the Opposite Party/s	:	Mr.Raj Kishore Singh, APP
For the informant	:	Mr. Kamlesh Kumar Pathak, Adv

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Mahua
P.S.Case No.496 of 2020 registered for the offence under
Sections 147,148,149,341,323,324,307,379,504 of the Indian
Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that due to previous
enmity all accused persons including the petitioner abused the
informant and her family members and committed mar-pit with
them. Thereafter the petitioner opened fire upon the husband of
the informant causing injury in his waist. Accused persons also
snatched motorcycle of son-in-law of the informant.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case due to land dispute between the parties. He further submits that as per FIR the petitioner is said to have opened fire upon the husband of the informant. He further submits that it appears from the injury report that injuries caused in lower limb of body. He further submits that due to land dispute, the present case has been instituted. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.10.2020.

Learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S.Case No.496 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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