

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32934 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- SAHPUR District- Bhojpur

Harendra Ram Son of Ambika Ram Resident of Village - Seopur, P.S.-
Shahpur, Distt.- Bhojpur. Petitioner

Versus

The State of Bihar. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 37567 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- SAHPUR District- Bhojpur

Abhishek Kumar Ram Son of Anand Bhushan Resident of Village - Sheopur
@ Shiupur, P.s.- Sahpur, Distt.- Bhojpur. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

(In Criminal Miscellaneous No. 32934 of 2021)

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Anil Prasad Singh

(In Criminal Miscellaneous No. 37567 of 2021)

For the Petitioner/s : Mr.Md. Ataul Haque

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 Heard learned counsel for the petitioners 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.

Petitioners seek bail in connection with Shahpur P.S.

Case No. 414/2020 registered for the offences punishable under

Sections 147, 148, 149, 452, 323, 354(B), 302, 379 and 506 of

the Indian Penal Code.

According to prosecution case, the informant gave



fardbeyan at P.M.C.H., Patna before the S.I. to the effect that on 3.12.2020 at about 7:00 P.M. his father deceased Algu Ram was taking rest at his residence, accused petitioner, Abhishek Kumar Ram along with other unknown co-accused person armed with weapon started assaulting the deceased including the wife of the informant with lathi and iron road.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case on the basis of suspicion. He further submits that the names of the petitioners have come during the investigation. He further submits that there is land dispute between the parties. He further submits that the police after investigation submitted charge-sheet against the petitioners and the petitioners are in custody since 12.12.2020

Learned counsel for the State on the basis of material available in the case diary submits that there is no direct allegation against the petitioners.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M. 1st , Ara, in connection with Shahpur P.S. Case No. 414 of 2020, subject to the following conditions:-

1. Petitioners 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 petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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