

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28175 of 2022

Arising Out of PS. Case No.-269 Year-2020 Thana- PANDAUL District- Madhubani

Raja Ram Sah @ Raja Ram Sahu S/o Late Ram Narayan Sahu R/o Village-
Bhaur, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-08-2022 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, 308, 307/34 of the
Indian Penal Code.

According to prosecution case, as per F.I.R. is that on
21.10.2020 all the named accused persons cut down a Jalebi
Tree situated at the door of the informant and he objected the
same then petitioner gave a Paghariya on his head due to which
he got injury on his head and fall down and when his daughter
Kiran Devi and Chanda Devi came to save him then also gave a
Paghariya blow on the head of Kiran Devi, due to which she got
injury and other accused beaten by leg and fists and on noise



neighbors came and brought them 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 as per F.I.R. there is admitted land dispute between the parties and both are the neighbor and there is dispute for path way between the parties and the allegation as per F.I.R. against the petitioner is that he assaulted the informant by means of Paghariya blow over his head resulted he sustained injuries. He further submits that the petitioner has no intention to kill the informant and injury report suggest that there are two injury one is simple in nature and injury no.2 is grievous in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.02.2022

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 Pandaul P.S.



Case No. 269 of 2020, corresponding to C.R.I. No. 2173 of 2020, 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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