

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33341 of 2022

Arising Out of PS. Case No.-64 Year-2019 Thana- KARJA District- Muzaffarpur

Dinesh Ram S/o Late Chulhai Ram R/o village- Barauna, P.S.- Karja, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned
counsel for the informant and the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
324, 307, 302 and 504 of the I.P.C.

According to prosecution case, one accused person
namely, Shiva Devi begin to abuse in filthy words and when she
restrained, all the F.I.R. named accused persons including this
petitioner having lathi, danda, bricks and stones attacked over
them due to which the informant sustained open head injury and
both the informant and her husband fell down.



Learned counsel for the petitioner submits that petitioner has got clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner has been falsely implicated due to land dispute . He further submits that in fact the deceased was own uncle of the petitioner and it appears from the F.I.R. that there is no specific allegation of assault and overt act against the petitioner. There is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted the charge sheet against the petitioner. The petitioner is in custody since 31.03.2022.

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 Karja P.S. Case No. 64 of 2019, 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)

Ravi/vanisha/-

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