

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44631 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- KARJA District- Muzaffarpur

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RAM BALAK CHAUHAN Son of Late Sadhu Chauhan Resident of Village -
Makdumpur Kodaria, P.S.- Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Binod Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-04-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State through video

conferencing.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Karja P.S. Case No. 70 of 2020 for the offence punishable under
Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal
Code.

The prosecution case, in brief, is that the petitioner
who is cousin brother of the informant assaulted him by means
of knife, due to which he sustained injury. Other accused
persons named in the F.I.R. assaulted the several family



members of the informant.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that an altercation took place between the petitioner who is the cousin brother of the informant and other accused persons named in the F.I.R. who are also cousin brother and relative of the informant relating to land dispute. The entire family members including the female members have been made accused by the informant in the present case. Petitioner is in custody since 09.04.2021 due to family dispute which is, in fact, of civil nature. Petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned APP opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the F.I.R. as well as the informant and the petitioner are member of the same family, admittedly, there is land dispute between the parties which the counsel appearing on behalf of the informant has not denied, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each



to the satisfaction of the learned ACJM-V, West, Muzaffarpur in connection with Karja P.S. Case No. 70 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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