

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35788 of 2022**

Arising Out of PS. Case No.-85 Year-2021 Thana- SILAO District- Nalanda

Ram Kumar Yadav @ Ram Kumar Son Of Ram Jatan Yadav R/O- Vill-
Kamdarganj, P.S- Silao, Dist.-NALANDA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

3 02-09-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 341, 323, 325,
354, 307, 147, 148, 149 and 379 of the Indian Penal Code, in
connection with Silao P.S. Case No. 85 of 2021.

As per the prosecution story, the accused persons
including the petitioner herein, variously armed, having arrived
at the house of the informant, whereafter they are stated to have
assaulted the informant, his daughter and some other persons
and are also alleged to have snatched gold chain, ear ring etc.

Learned counsel for the petitioner submits that this
case is a counter blast of Silao P.S. Case No. 82 of 2021 lodged



by Pawan Kumar against the informant and other accused persons and a bare perusal of the FIR would show that each and every accused has been assigned one or the other role showing complete exaggeration of the FIR. He submits that for the alleged occurrence, he is in custody since 20.2.2022 (as stated in para-10 of the bail application).

Considering the fact that there is case and counter case in the matter, he is in custody since 20.2.2022 and the charge-sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Silao P.S. Case No. 85 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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