

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40815 of 2022**

Arising Out of PS. Case No.-56 Year-2022 Thana- DINARA District- Rohtas

RAMCHANDRA CHAUDHARI @ RAM CHANDRA CHAUDHARI Son
of Ramdhri Chaudhari @ Namdhari Chaudhari @ Laldhari Chaudhary
Resident of village- Rupri, PS- Dinara (Bhanas), District- Rohtas At sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

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

2 19-10-2022 Heard learned counsel for the petitioner and

learned counsel for the State.

Let the defect(s), if any, as pointed out by the office

be removed within four weeks.

The petitioner is in judicial custody in connection
with Dinara (Bhanas) P.S. Case No. 56 of 2022 for the
offences under Sections 147, 148, 323, 324, 307, 354, 506 of
the Indian Penal Code.

As per the prosecution story, the informant has
alleged that as she was removing grass from the land, the
petitioner along with other accused persons came there armed
with weapons and after abusing them, tried to outrage her
modesty and thereafter the allegation is that this petitioner



gave a knife blow causing injury in her neck. As the family members started assembling due to shout, they left the place. She was taken to the Sasaram Government Hospital from where she was referred to PMCH, Patna. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that both of them belong to poor family, landless people and for want of Government land, they are fighting with each other and which the allegation has been levelled against him. It is further submitted that he is in custody since 28.3.2022 (as stated in para 20 of the bail application). By way of supplementary affidavit, he has provided the injury report to submit that the opinion was reserved in the matter and as such the same cannot be said whether it was grievous or simple.

Per contra, learned APP submits that allegation against him is of using knife on the neck of the lady and as such he does not deserve bail.

Taking into account the period of custody, 28.3.2022, chargesheet stands submitted, the report of the injury has been found to be reserved, 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 A.C.J.M.-IV cum Sub Judge-IV, Bikramganj, Rohtas at Sasaram, in connection with Dinara (Bhanas) P.S. Case No. 56 of 2022 subject to the following conditions :-

(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

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

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.



With the aforesaid observations, the bail application
is allowed.

(Rajiv Roy, J)

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