

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43420 of 2022

Arising Out of PS. Case No.-153 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

RAMESH RAI SON OF LATE RAM JATAN RAI R/O VILLAGE- SHEO
NAGARI, P.S.- CHAPRA MUFFASIL, DISTRICT- SARAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manindra Kumar, Adv.
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh, APP
For the Informant	:	Mr. Anjani Parashar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard the parties.

The petitioner seeks bail in connection with Chapra
Muffasil P.S. Case No. 153/2020 registered for the offences
punishable under Sections 147, 323, 324, 307, 504 of the Indian
Penal Code.

As per prosecution case, allegation against the
petitioner to give knife blow upon head of victim Kishun Rai
due to which he sustained injury.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is languishing in custody since 26.05.2022



and bears no criminal antecedent. There is case and counter case between the parties and there is bona fide land dispute. There is allegation against the petitioner to assault Kishun Rai by means of knife causing head injury and there is no repeated blow on the vital part of the body so far as the allegation against the petitioner is concerned. He further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Dharmendra Rai has been granted anticipatory bail by the co-ordinate Bench of this Court vide Cr. Misc. No.69299/2021 and the case of present petitioner stands on better footing so far as the regular bail of the petitioner is concerned.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted anticipatory bail, argument advanced on behalf of both sides, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the



petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with Chapra Muffasil P.S. Case No. 153/2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

