

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54757 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- FESHAR District- Aurangabad

UPENDRA RAM, Son of Ram Janam Ram, Resident of Village - Dewariya
Kala, Tola - Tatvirganj, P.S.- Fesar (Phesar), District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-02-2022 Heard Mr. Pawan Kumar, learned counsel for the

petitioner, Mr. Nitya Nand Tiwary, learned APP for the State and

Mr. Sanjay Kumar, learned counsel for the informant.

The petitioner seeks bail in connection with Fessar
P.S. Case No. 28 of 2021 registered under Sections 341, 323,
147, 148, 149, 427, 302, 307, 506 and 504 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.04.2021, charge-sheet has been
submitted and a person with clean antecedent.

Learned counsel further submits that the informant in
the F.I.R. alleges that Rajendra Ram assaulted father of the
informant with Iron rod causing injury, further Upendra Ram
and Harendra Ram assaulted Chandan Ram and Hira Lal Ram



by Iron rod causing injury on head, when they came to save the father of the informant, further Jitendra Ram brought the father of the informant outside the house and assaulted by Sword on head and he became unconscious and thereafter Vijay Ram and Rajesh Kumar assaulted the father of the informant (deceased) by Lathi, who was taken to hospital for treatment at Sadar Hospital, Aurangabad from where he was referred to PMCH, Patna, further the occurrence took place as Rajendra Ram was asking for vote for his wife, which was objected by the informant on the ground that during election he swipes the voter in a different ward by getting their name deleted.

Learned counsel submits that the petitioner has been falsely implicated in the present case, the allegation against the petitioner is that he along with Harendra Ram assaulted Chandan Ram and Hira Lal Ram by Iron rod causing injury on head when they came to save the father of the informant. Learned counsel for the petitioner submits that from perusal of the injury report it would be manifest that the injuries are simple in nature.

The learned APP and the learned counsel for the informant opposes the bail application, but are not able to meet the submissions of the learned counsel of the petitioner that the



injury sustained by the injured are simple in nature.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted, is a person with clean antecedent and injury have been found to be simple in nature and similarly situated co-accused have been granted bail, the petitioner, named above, is directed to 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 Chief Judicial Magistrate, Aurangabad in connection with Feshar P.S. Case No. 28 of 2021.

(Satyavrat Verma, J)

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