

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56062 of 2021

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

1. Harendra Ram, S/O Late Laxmi Narayan Ram, R/O Village- Dewariya Kala, Tola- Tatvirganj, P.S- Fesar (PHESAR), District- Aurangabad.
2. Chandan Ram, S/O Harendra Ram, R/O 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. Nand Kishore Prasad, Advocate
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-02-2022 Heard Mr. Pawan Kumar, learned counsel for the petitioners, Mr. Nand Kishore Prasad, learned APP for the State and Mr. Sanjay Kumar, learned counsel for the informant.

The petitioners seek 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 senior counsel for the petitioners submits that the petitioners are in custody since 28.03.2021, charge-sheet has been submitted and petitioner no.1 has antecedent of one case and petitioner no.2 is 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 (petitioner no.1) assaulted Chandan Ram (petitioner no.2) 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 petitioners have been falsely implicated in the present case and as far as Harendra Ram (petitioner no.1) is concerned he is alleged to have assaulted Chandan Ram and Chandan Ram (petitioner no2) is alleged to have assaulted Vikash Ram and Manoj along with Sujeet and Mantosh. Learned counsel submits that the injury of Chandan Ram is simple in nature and as far as injury of Manoj



and Vikash Ram is concerned, the same is not there in the case diary.

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 petitioners.

Considering the fact that the petitioners are in custody, charge-sheet has been submitted and taking into consideration the fact that petitioner no.2 is the person with clean antecedent and petitioner no.1 has one antecedent and similarly situated co-accused have been granted bail, the petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Fessar P.S. Case No. 28 of 2021.

(Satyavrat Verma, J)

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