

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50642 of 2022

Arising Out of PS. Case No.-335 Year-2022 Thana- MADHAURAH District- Saran

SANTOSH RAM S/o Vidhya Ram R/o village- Aata, P.S.- Marhowrah,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 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 147, 148, 341,
342, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal
Code, in connection with Marhowrah P.S. Case No. 335 of
2022.

As per the prosecution story, the informant has
alleged that due to previous land dispute, the named accused
including the female inmates variously armed came and
assaulted the family members and in the process, the allegation
against the present petitioner is of assaulting Sanjeet Kumar
Ram with 'Farsa' on his head causing injury.



Learned counsel for the petitioner submits that there is case and counter case inasmuch as there is another FIR being Marhowrah P.S. Case No. 334 of 2022 against the informant and other accused persons lodged by their side.

Learned counsel further attributed to this Court's attention to the ordersheet of the learned 8th District and Sessions Judge, Saran at Chapra where the injury report of Sanjeet Kumar Ram has been incorporated where the nature of injury has been found to be simple.

Taking into account the aforesaid fact that there is case and counter case, the injury attributed to the petitioner has been found to be simple in nature, the petitioner do not have any criminal antecedent and is in custody since 29.5.2022 (as stated in para-11 of the bail application), 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, Saran at Chapra, in connection with Marhowrah P.S. Case No. 335 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 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;

(iv) the petitioner shall desist from committing any criminal offence again, 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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