

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64917 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

1. RAM AWATAR RAM, Son of Lt. Nathuni Ram, R/o Village - Fulli, P.S.- Kudra, District - Kaimur.
2. Akhilesh Ram @ Akhalesh Ram, Son of Lt. Nathuni Ram, R/o Village - Fulli, P.S.- Kudra, District - Kaimur.
3. Sonu Kumar, Son of Ram Awatar Ram, R/o Village - Fulli, P.S.- Kudra, District - Kaimur.
4. Lal Bihari Ram, Son of Late Jaddu Ram, R/o Village - Fulli, P.S.- Kudra, District - Kaimur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ravi Shankar Sahay, Advocate
		Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s :		Mr.Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-05-2022 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr.Kumar Veerendra Narayan, learned APP for the State.

The petitioners in the present case are seeking regular bail in connection with Kudra P.S. Case No. 13 of 2021 registered for the offences punishable under Sections 147, 149, 341, 323, 504, 506, 307, 302 of the Indian Penal Code. They have no criminal antecedents. The petitioners are in custody since 19.08.2021.



Learned counsel for the petitioners submits that the present FIR has been lodged against ten named accused persons with allegation that over a land dispute when the police party left the place of occurrence after pacifying the matter, the accused persons having lathi-danda and rod came and attacked on them. It is alleged that Lakhan Ram assaulted on the head and chest of Ram Lal resulting he fell down and became unconscious. Aaccused Pravin Ram assaulted Lalan Ram by rod, Ravi Ram assaulted Mahendra Ram, Vishwajeet Kumar and Pinki Devi by lathi-danda and got them injured.

Learned counsel submits that the petitioners are innocent and have committed no offence. The alleged occurrence has a counter version also and the counter case has been lodged by the petitioners' side. It is further submitted that the injured Ramlal Ram died after some time due to the grievous injury allegedly suffered by him there is still no specific allegation against the petitioners and their cases stand on similar footing with that of co-accused Hari Shankar Ram who has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 63425 of 2021.

Mr. Kumar Veerendra Narayan, learned APP for the State has opposed the prayer for regular bail of the petitioners.



Having regard to the submission that there are general and omnibus kind of allegations against the petitioners, the alleged occurrence has a counter version as well and the counter case has been lodged by the petitioners' side, 10 persons have been named in the F.I.R. and the injured Ram Lal died after some time due to the grievous injury allegedly suffered by him there is still no specific allegation against the petitioners and their cases stand on similar footing with that of co-accused Hari Shankar Ram who has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 63425 of 2021, the petitioners are in custody since 19.08.2021 and their appearance may be secured in course of trial, this Court directs release of the petitioners above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-VI, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 13 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stand allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

