

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55435 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- GHOSWARI District- Patna

Ram Nandan Prasad Shah @ Ram Nandan Sao, aged about 68 years, Male,
Son Of Late Baleshwar Sao R/O Village- Ghoshwari, P.S.- Ghoswari,
District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pratik Mishra, Adv.

For the Opposite Party : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Ghoswari
P.S. Case No. 100 of 2022, dated 07.07.2022, registered for the
offence punishable under Sections 341, 324, 326, 307, 504/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that there is an
allegation that the petitioner has used abusive language with
caste insinuation against the informant, on objection by the
petitioner, he has overpowered the informant whereafter, it is
alleged that Vikas Kumar, co-accused has given knife blow to his



father Ram Naresh Mahto, who was stabbed in the abdomen.

Learned counsel for the petitioner submits that being around 68 years of age, the petitioner has been implicated in this case only due to his proximity with other co-accused persons.

He is in custody since 07.07.2022. During the course of investigation, statement of one Sunil Yadav has been recorded under Section 161 of the Code of Criminal Procedure. He has stated about the occurrence and claimed to be one who was trying to pacify the parties, but has not stated any overt act against the petitioner, much less overpowering the informant.

The petitioner has clean antecedents, and his name has been inserted later on based on extraneous consideration.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the fact that even as per F.I.R., there is no allegation of inflicting stab injury against the petitioner, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Judicial Magistrate, 1st Barh, Patna, in connection with .
Ghoswari P.S. Case No. 100 of 2022, subject to the following
conditions:-

(i) That one of the bailors will be a close relative of the
petitioner who will give an affidavit giving genealogy
as to how he is related with the petitioner. The bailor
will also undertake to inform the Court if there is any
change in the address of the petitioner.

(ii) That the petitioner will be well represented on
each date and if he fails to do so on two consecutive
dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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