

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71555 of 2021

Arising Out of PS. Case No.-305 Year-2021 Thana- GHOSI District- Jehanabad

1. Arjun Prasad Son of Sadhu Saran Prasad Resident of Village- Pirodha, P.S- Ghosi, Dist- Jehanabad
2. Ravi Ranjan Kumar Son of Arjun Prasad Resident of Village- Pirodha, P.S- Ghosi, Dist- Jehanabad
3. Chandan Kumar Son of Upendra Prasad Resident of Village- Pirodha, P.S- Ghosi, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-04-2022 Heard learned counsel for the petitioners and learned counsel for the Informant as well as learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in a case registered for the offences punishable under Sections 448, 341, 323, 324, 325, 307, 354, 379, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant along with his family members are



subjected to brutal assault by means of deadly weapons by the petitioner and his associates as a result thereof they have sustained serious injuries.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that as per allegation in the F.I.R. petitioner no.1 has assaulted the Kusum Devi (mother of the informant) by Bhala causing injury on head. He further submits that allegation against the Arjun Prasad (petitioner no.1) is not supported by the injury report as the injury was found to be caused by hard and blunt substance and not by sharp edged weapon. He further submits that there is land dispute between the parties and the present case is counter blast of Ghosi (Okari) P.S. Case No. 306 of 2021 filed by son of the petitioner no.3 against the informant and his family members. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 05.07.2021.

The learned counsel for the Informant and learned A.P.P. has vehemently opposed the prayer for bail of the petitioners and submits that there is direct allegation against the petitioners.



Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ghosi (Okari) P.S. Case No. 305 of 2021, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 step 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.

(Rajesh Kumar Verma, J)

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