

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.146 of 2022

Arising Out of PS. Case No.-130 Year-2020 Thana- SURYAPURA District- Rohtas

HARERAM SINGH @ RAM DAYAL SINGH Son of Ram Pravesh Singh @
Gudani Singh Resident of Village - and P.O.- Agrer kala, P.s.- Surayapura,
Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh
For the Opposite Party/s	:	Mr. Md. Fahimuddin
For the Informant	:	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 11-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Suryapura P.S. Case No. 130 of 2020 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 302, 307,
504, 506 of Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, accusation against the
petitioner to assault Bhikhari Singh on the head by means of
Lathi as a result of which victim sustained injury on head.

Learned counsel for the petitioner submits that
petitioner is in custody since 08.09.2021. Petitioner bears no



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that as a matter of fact there is altercation taken place between the parties with regard to drainage of water and the counsel of petitioner submits that as per first information report there is specific allegation against the petitioner is that he has order giver and assaulted Bhikhari Singh with lathi causing injury on head which is simple in nature and as per first information report it is evident that co-accused Anil Singh made firing causing injury to informant's father namely Kamla Singh and Kamla Singh died on spot. So far, allegation against Munji is that he has committed firing, causing injury to Sanjay Singh. Petitioner has not assaulted deceased in any manner.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the



petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, District Rohtas in connection with Suryapura P.S. Case No. 130 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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