

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10901 of 2023**

Arising Out of PS. Case No.-35 Year-2019 Thana- SUGAULI District- East Champaran

PRABHU RAM S/O LATE JATAN RAM Resident of Village- Dharampur,
P.O and P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sugauli P.S. Case No. 35 of 2019 dated 22.01.2019 registered
for the offence under Sections 147, 149, 341, 323, 324,
354(B), 307, 379 and 504 of the Indian Penal Code.

The petitioner along with others are alleged to
have assaulted the informant and his family members by
means of garasa and dab causing injury to them.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that from bare perusal of the F.I.R. it



transpired that no specific allegation of assault is attributed to the petitioner rather the specific allegation of inflicting injury is attributed to the co-accused persons, namely, Raju Ram, Raju Kumar Ray and Sunita Devi. He further submits that petitioner, at best, could be said to be the member of assaulting party but he has not inflicted any injury to anyone. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 07.12.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 35 of 2019 with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

brajesh/-

U		T	
---	--	---	--

