

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15080 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- VIJAYEPUR District- Gopalganj

Arvind Ram @ Arvind Kumar Ram Son Of Ramnakshtra Ram, Aged 36
years, male, R/O- Sudamachak, P.S.- Vijeypur, Distt.,- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikram Anurag, Advocate
		Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending his arrest in connection
with Vijeypur P.S. Case No. 115 of 2022 for the offences under
Sections 341, 323, 504, 506, 353/34 of the Indian Penal Code.

When the police had gone to apprehend the co-
accused *Jitender Paswan*, he had taken shelter in the house of
Ramnakshtra Ram. Thereafter, it is alleged that all the family
members of *Ramnakshtra Ram* have interfered in discharging of
official duties by the police party. They have pushed back the
police party and in the process also assaulted the police party by
taking shelter of the female members in the house.

It is submitted by the learned counsel for the



petitioner that the prosecution case is false. The person *Jitender Paswan*, whom police had gone to arrest, fled away and the family members present in the house have all been named indiscriminately based on extraneous considerations. The only specific allegation of using abusive language and meting out threats is against co-accused *Ajay Ram*. The petitioner has no criminal antecedent. The co-accused *Ramnakshtra Ram*, petitioner's father, has been allowed anticipatory bail in Cr. Misc. No. 10060 of 2023.

Learned APP has opposed the prayer for bail. It is submitted that in the course of occurrence, three police constables have sustained injury and the petitioner is named in the FIR. However, he is not in a position to show the injury report as accompanying the FIR.

Considering the rival submissions, the petitioner's claim based on parity with *Ramnakshtra Ram*, his clean antecedent and nature of allegation, this Court inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's anticipatory bail is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 CJM at Gopalganj in connection with Viheypur P.S. Case No. 115 of 2022 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also 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 they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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