

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13379 of 2023

Arising Out of PS. Case No.-423 Year-2022 Thana- RAJAON District- Banka

RAMSEVAK DAS S/O Late Kailu Das R/O Village- Sujal Korama, P.S-
Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2023 No one appears on call on behalf of the petitioner
although learned APP for the State is present.

The petitioner apprehends his arrest in connection
with Rajoun P.S. Case No.423 of 2022 instituted under Sections
341, 323, 307, 325, 504/34 of the IPC lodged on 02.09.2022 by
the informant Deepak Das.

As per the prosecution story, the informant on
28.08.2022 gave written statement that after the dispute of
passage and quarrel of children, as he was going, in the
meantime, the accuseds attacked and injured the head of the
informant with 'khanti'. They also threatened to murder him.
Informant further alleged that accused persons threatened that
they have no fear of police and if the case is lodged, they will
murder the entire family and throw them on railway line.
Accordingly, the FIR.



As per the petition, the occurrence is of 28th of August while the FIR was lodged on 2nd of September. The allegation is omnibus in nature and the petitioner is 80 years old, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Rajoun P.S. Case No.423 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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