

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20568 of 2023

Arising Out of PS. Case No.-324 Year-2021 Thana- SONEPUR District- Saran

RAJA BABU @ DEVENDRA PRASAD S/O- Late Ramswarath Ram
Village- Pahari Chak Sonpur P.S- Sonpur District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Bela Singh, Advocate
		Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-04-2023 Let the defect(s), if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Sonapur P.S. Case No. 324 of 2021 dated 12.06.2021, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant alleged that this petitioner along with FIR named accused and 8 to 10 unknown persons armed with lathi, danda, farsa, pistol etc. arrived at his



house thereafter this petitioner assaulted the informant's grandfather by means of iron rod and the informant's father and several other people were assaulted by co-accused persons.

The main submissions advanced by petitioner's counsel are that the petitioner and the informant are neighbours as well as co-villagers, present case is the counter blast of Sonapur P.S. Case No. 325 of 2021 lodged by mother of this petitioner against the informant of the present case and others and as per the allegation made in the FIR the petitioner allegedly inflicted iron rod blow at the injured persons but they sustained injuries on their non-vital part of the body and the petitioner is a student and has qualified written as well as physical test in SSC for selection of S.I in Delhi Police and Central Armed Police Forces Exam, 2022. Further submission is that the co-accused Anil Ram @ Anil Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 57141 of 2021 and he has been languishing in jail since 13.02.2023.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the above submissions and mainly taking into account the petitioner's academic career as well as the facts that both the parties are neighbours as well as co-villagers and in



between them there is a case and counter case, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection with Sonapur P.S. Case No. 324 of 2021 on following conditions:-

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

(3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J.)

maynaz/-

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

