

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22926 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- SHIVSAGAR District- Rohtas

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RAM PRAKASH BHAGAT SON OF SHRI RAM CHANDRA BHAGAT
RESIDENT OF VILLAGE - RAIPUR CHOR, P.S. - SHIVSAGAR (BADDI
O.P.) DISTRICT - ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
17.04.2022 in connection with Sessions Trial No.25 of 2023,
arising out of Shivsagar (Baddi O.P.) P.S. Case No. 143 of 2022,
F.I.R. dated 17.04.2022 for the offences punishable under
Sections 341, 323, 324, 307 and 504 of the Indian Penal Code.

3. According to prosecution case, as per written report
of the informant Jainand Bhagat stating therein that on
16.04.2022 at about 11:00 P.M., informant's elder brother Ram
Prakash Bhagat started abusing, when informant refused to
abuse then hit the informant on the head with a pot (lotah) as a
result the head was broken and blood oozing out then he took



knife and started hitting the informant body so that there was a cut mark on the body.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is that the petitioner has assaulted with Lotah to the informant but the injury report of the informant suggest that the injury is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 17.04.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 8th Additional Session Judge, Rohtas at Sasaram in connection with Sessions Trial No.25 of 2023, arising out of Shivsagar (Baddi O.P.) P.S. Case No. 143 of 2022, subject to 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 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 bail.

3. 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)

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