

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28412 of 2023

Arising Out of PS. Case No.-59 Year-2021 Thana- MADHEPURA District- Madhepura

SHRAVAN RAM SON OF CHANDESHWARI RAM R/O-GHAILARH,
PUWARI TOLA, WARD NO. 06, MADHEPURA (GHAILARH O.P.),
DISTT.-MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Madhepura (O.P.) P.S. Case No. 59 of 2021 registered for the
offence under Sections 147, 148, 149, 341, 323, 307, 325,
379 and 506 of the Indian Penal Code.

The petitioner is alleged to have assaulted the
mother of the informant by means of khanti causing her
injury to her head and associates of petitioner have
assaulted the family members of the informants and also
committed loot.

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 due to admitted land dispute between the parties. He further submits that in the free fight between the parties both side have got injured for which case and counter case between them have been lodged. He further submits that though the petitioner is alleged to have assaulted the mother of the informant on her by khanti but the injury report suggest that out of three injuries two of them are simple in nature caused by a hard and blunt substance. 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 07.01.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently 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, Madhepura in connection with Madhepura (Ghailarh O.P.) P.S. Case No. 59 of 2021 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)

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