

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47822 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

RAMCHANDRA RAM S/o Late Bashishtha Ram R/o Village-Bhelama alias
Bhelma, P.S.-Kudra, District-kaimur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection with Kudra P.S. Case No.134 of 2023 instituted under Sections 447, 323, 353, 379, 504, 506 of the IPC lodged on 25.04.2023 by the informant Mahendra Pratap.

As per the prosecution story, the allegation is that when the Principal was addressing the student of class-VI,VII,VIII teaching them out to prevent themselves from ‘Malaria’, the petitioner entered his class and after pushing him also assaulted. The reason behind the occurrence is that he wanted correction in the transfer certificate of his child. The further allegation is that he took the register in his hand and



tried to escape. It was timely intervention of the teachers and the students that he could not do so. Accordingly, the FIR.

Learned counsel for the petitioner submits that the case is different, as he was protesting against the mid-may meal, has been implicated. It is his further submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner on its own would like to contribute Rs.5000/- to the said Higher Secondary School, Ghateya, Kaimur through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that he has lowered the image of the Principal in the eyes of the students and the teachers.

Although the allegation against the petitioner is grave, considering the fact that the FIR having been lodged, he will have to face the trial, this Court is inclined to grant him privilege of anticipatory bail subject to payment of Rs.5000/- to the said school as detailed above.

Let the petitioner be released on anticipatory 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 Kudra P.S. Case No.134 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua, 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 appear before the concerned police station every fortnight for next six months to mark attendance;

(v) 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;



(vi) 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 /-

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