

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50339 of 2023

Arising Out of PS. Case No.-646 Year-2020 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. NARAYAN RAM S/O Late Subhag Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.
 2. Hari Ram S/O Late Subhag Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.
 3. Neur Ram S/O Late Subhag Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.
 4. Sonu Ram S/O Narayan Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.
 5. Deepak Ram S/O Narayan Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.
 6. Somaria Devi W/O Narayan Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ramamuni Ram S/O Late Ramnath Ram R/O Village- Kuriyari, P.O- Silari, P.S- Karghar, Distt.- Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard the learned counsel for the petitioner and the

State.

2. The petitioners seek bail, apprehending their arrest,

in connection with Complaint Case No. 646 of 2020, registered

for the offences punishable under Sections 149, 324 307 IPC of

the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation, on 09.12.2020 at about 4.00 PM,



when the accused persons including the petitioners armed with weapons were removing the paddy crop from the field of the Complainant, the complainant and his sons obstructed them, as a result of which the accused persons started abusing the complainant. Accused Sonu Ram also pointed Country gun upon the complainant and threatened to shoot her. They are also alleged to have assaulted the sons of the complainant by means of fist slaps and legs. There is also allegation of theft against Sonu Ram who picked out Rs. 5000/- from the pocket of the Complainant. The accused persons took away paddy worth Rs. 20000/-. It is further alleged that the accused persons are criminals who are earlier convicted in S. Tr. No. 340/1983 under sections 149, 324, 307 of the IPC and 27 of the Arms Act.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the alleged offence is petty in nature and false case has been filed on the ground of previous enmity.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved before this Court earlier for anticipatory bail in this case.

7. However, the learned APP for the State has



vehemently opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld CJM, Rohtas at Sasaram, in connection with Complaint Case No. 646 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to



remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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