

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61765 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- KATEYA District- Gopalganj

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Anirudh Ram S/O Sudarshan Ram R/O Village- Bankatiya Tola Tand, Ps.
Kateya, Dist. Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.03.2023 in connection with Kateya P.S. Case No. 108 of
2023, F.I.R. dated 10.03.2023 for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 325, 307, 302, 504, 506
of the IPC.

3. The allegation against the petitioner is to commit
murder of the son of the informant, along with other 19 named
co-accused persons, by assaulting with 'Farsa', rod, etc, where,
occurrence arises out of land dispute. Accordingly, the FIR.

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 from perusal of the FIR, it appears that due to admitted land dispute the present occurrence has taken place and also appears that there is no accusation of any assault or overt act attributed against the petitioner and the same is against co-accused person namely, Laxmi Ram, Rudal Ram, Munni Ram and Shrawan Ram and there is general and omnibus allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Krishnawati Devi @ Krisnawti Devi @ Krishnauti Devi @ Krishnauti Devi has been granted bail by a co-ordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 38944 of 2023, Vipin Kumar @ Vipin Ram has been granted bail by a co-ordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 41506 of 2023, Sushila Devi has been granted bail by a co-ordinate Bench of this Court vide order dated 31.07.2023 passed in Cr. Misc. No. 39933 of 2023 and Chhabil Ram and Shrawan Ram against whom the allegation of assault have been granted bail vide order dated 01.08.2023 passed in Cr. Misc. No. 47150 of 2023. He further submits that the police



after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 11.03.2023.

5. The learned Additional Public Prosecutor 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 Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 108 of 2023, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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)

Prakash Narayan

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