

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60171 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- AMBA District- Aurangabad

PRAVESH RAM S/O LATE FAGUNI RAM R/O VILLAGE- MAHSU
TIKRI, P.S- AMBA, DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Nath Singh, Adv.
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP
For the Informant/s	:	Mr. Ashok Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 11-10-2023 1. Heard learned counsel for the Petitioner, learned counsel for the Informant and learned APP for the State.
2. Petitioner apprehends his arrest in connection with Amba P.S. Case No. 82 of 2023 dated 09.04.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 147, 148, 149, 379 of the Indian Penal Code.
3. The main submissions advanced by learned counsel for the petitioner are that the FIR itself goes to show that the alleged occurrence was not pre-planned and the same took place in the spur of moment when the accused persons denied to remove the encroachment from the roadside, though the petitioner is named in the FIR but against him, there is no specific allegation and several persons have been named in the



FIR and the main allegation of assaulting the prosecution party is against the co-accused persons namely, Nanhak Ram, Rakesh Paswan and Sham Karan Paswan and the petitioner has fair and clean antecedent.

4. Learned counsel appearing for the Informant as well as learned APP appearing for the State has vehemently opposed bail prayer of the petitioner and submitted that sharp cutting injuries have been found on person of two injured persons namely, Anand Singh and Chhotu Singh and the act of the accused persons was completely inhuman and in following with a trivial issue the prosecution party was badly assaulted by the accused persons.

5. Considering the facts and circumstances of this case as well as above submissions and mainly, the fact that there is no specific allegation against the petitioner and the main allegation is against above-mentioned co-accused persons and petitioner has fair and clean antecedent and the alleged occurrence is not stated to have been committed in a planned manner and the same is stated to have taken place in the spur of moment, in my opinion, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned



court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Amba P.S. Case No. 82 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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