

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70881 of 2022

Arising Out of PS. Case No.-246 Year-2021 Thana- NOKHA District- Rohtas

1. AJAY RAM S/o Shivbachan Ram R/o Village- Nawadih, P.S.- Nokha, Distt-Rohtas.
2. Raj Kumar Ram S/o Bhadai Ram R/o Village- Nawadih, P.S.- Nokha, Distt-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Nokha P.S. case No. 246 of 2021 registered for the offence under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the Indian Penal Code.

The petitioners along with others are stated to have assaulted the informant and his son by lathi and iron rod due to which both of them sustained injuries.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that it appears from the F.I.R. itself that there is general and omnibus allegation against the petitioners and no specific



allegation of assault or overt act is attributed to them. Moreover, similarly situated co-accused, namely, Dharmendra Ram has already been granted bail by a co-ordinate Bench of this Court vide order dated 02.08.2022 passed in Cr. Misc. No. 20895 of 2022, co-accused, Anil Ram and Chhotu Rajwar @ Chhotu Ram have also been granted bail by a co-ordinate Benches of this Court vide order dated 04.08.2022 passed in Cr. Misc. No. 21485 of 2022 and Cr. Misc. No. 22510 of 2022 respectively. The petitioner Nos. 1 and 2 are rotting in judicial custody since 02.04.2022 and 15.03.2022, respectively.

Learned A.P.P. for the State has 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sasaram in connection with Nokha P.S. Case No. 246 of 2021 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

brajesh/-

U		T	
---	--	---	--

