

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61491 of 2022

Arising Out of PS. Case No.-290 Year-2022 Thana- BIDUPUR District- Vaishali

RAM BABU RAM, S/O LATE BASURAM, Resident of village- Ismailpur
Math, P.S.- Bidhupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Bidupur P.S.
Case No. 290 of 2022 registered for the offence punishable under
Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

The petitioner is alleged to have assaulted the informant's
son by sharp cutting weapon on his throat.

Learned counsel for the petitioner submits that falsity of
the allegation is evident from bare perusal of the FIR, which is based
on written report, typed and submitted for institution of FIR nearly 11
days after the alleged incident. Though, the informant alleges that
his son was taken to the Primary Health Centre and Sadar Hospital
immediately after the occurrence, no such document has been
annexed, nor any case has been lodged. The petitioner has been
implicated in this case on extraneous considerations. He is aged
about 60 years, has no antecedents and is in custody since
11.06.2022. In fact the informant's son has not sustained any injury
whatsoever.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody of the petitioner, his clean antecedents and the unexplained delay in lodging of the FIR, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

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 learned C.J.M., Vaishali at Hajipur, in connection with Bidupur P. S. Case No. 290 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shashank/-

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

