

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64567 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- MUFFASIL District- Aurangabad

Basudeo Ram @ Basu Ram S/O Babu Ram @ Bablu Ram R/O Village- Pipra,
P.S- Aurangabad (Muffasil), District- Aurangabad (Bihar)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 248 of 2022 registered for the offence under
Sections 188, 448, 327, 353, 384, 504, 506 of I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.07.2022.

The allegation against the petitioner is to prevent
informant and police personnels to remove the encroachment in
furtherance of the order passed by this Hon. Court related with
disputed piece of *Gairmajarua* and private land and also to
demand extortion money.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in present case in collision with police personnels, as it is appearing from the bare perusal of the F.I.R., that informant is private person, where F.I.R. was lodged under Section 353 of Indian Penal Code, which made the allegation apparently false on its face. It is further submitted that petitioner is not concerned with alleged piece of land and just to create a pathway from the land of petitioner, the present false implication was raised. While concluding the argument, it has been submitted that petitioner involved in three more cases arises out of same occurrence and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Abhishek Kumar Singh, appearing on behalf of the informant opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as informant appears to be a private person, where no allegation appears to deter the public servant/government servant, while on duty from the face of F.I.R., coupled with the fact that charge-sheet has been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Muffasil P.S. Case No. 248 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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

