

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67462 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- MOKAMAH District- Patna

RAVI SHANKAR KUMAR S/O LATE GOPAL SHARAN RAI @ LATE
GOPAL SHARAN YADAV R/O VILLAGE- MEKRA BUJURG, P.S-
MOKAMA, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mokama P.S. Case No. 106 of 2023 registered on 17.03.2023
lodged under Sections 341, 323, 307, 379/34 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons in which general and
omnibus allegation has been made against all the five accused
persons that they have assaulted the informant's brother and also
snatched the gold chain and Rs. 500/-. The cause of dispute has
been shown in the F.I.R. as land dispute.

4. Counsel for the petitioner submits that there is no
specific allegation against the petitioner. All allegations are



general and omnibus. The injury report has been annexed as Annexure P/2 which indicates that injury is caused by hard blunt substance and it is simple in nature.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 07.07.2023 having one criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail.

7. Learned counsel for informant vehemently opposes the prayer for bail and submits that from the FIR, it is very much clear that there is allegation of assault by accused persons by *iron rod* and *khanti* due to which bleeding started.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III Barh, Patna, in connection with Mokama P.S. Case No. 106 of 2023, subject to the following conditions and the conditions laid down under section 437(3) of Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned
police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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