

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.67631 of 2022**

Arising Out of PS. Case No.-162 Year-2022 Thana- HUSSAINGANJ District- Siwan

Kis Nath Ram S/O Jaga Ram Resident of Village- Hathaura, P.S.- Husainganj,  
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate  
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

2      23-03-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 147, 341, 323, 324, 326,  
504, 506 and 302 of the Indian Penal Code.

According to prosecution case, all the accused persons  
including the petitioner attacked on the informant and her  
family members and one Lal Bahadur Ram attacked on the  
husband of the informant due to which he sustained injuries and  
subsequently he died.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the F.I.R. is in two parts ; according to part one, there is general and omnibus allegation against all the accused persons and according to part two, there is specific allegation against the co-accused person, namely, Lal Bahadur Ram who assaulted the husband of the informant and he sustained injuries and during the treatment, he died. He further submits that there is no allegation of any assault or overt act against the petitioner and there is general and omnibus allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 30.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Husainganj P.S. Case No. 162 of 2022, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)**

Vanisha/-

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