

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72723 of 2022

Arising Out of PS. Case No.-194 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

RAJESH RAM SON OF JAI KISHUN RAM R/O VILLAGE- ROSHI, P.S.-
BOCHAHAN, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhusudan Kumar, Adv.
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the informant	:	Mr. Prity Kunwar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bochaha
P.S. Case No. 194 of 2022 dated 01.05.2022 registered for the
offence under Sections 341, 342, 323, 324, 307, 354(B), 379, 504
and 506/34 of the Indian Penal Code.

The petitioner along with his companions are alleged
to have assaulted the informant and his family members by lathi
and danda.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the present case is counter blast of Bochaha P.S. Case No. 193 of
2022 lodged against the informant and his family members. He



further submits that there is admitted land dispute between the parties and on account of that scuffle took place between the parties in which both the parties have sustained injuries for which case and counter case have been lodged at both instance. He further submits that from bare perusal of the F.I.R., it appears that there is specific allegation against the petitioner that he has assaulted the informant by iron rod upon his head and injury is grievous in nature but there is no repetition of blow inflicted by the petitioner. He further submits that there was no intention to kill anyone rather the present occurrence took place in the spur of the moment. He further submits that the mother of the petitioner has also been severely injured in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 20.07.2022.

Learned counsel for the informant as well as learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of assault against the petitioner and the injury report also suggest that one of the injury sustained by the informant is grievous in nature.

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) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate-1st Class, Muzaffarpur in connection with Bochaha
P.S. Case No. 194 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

brajesh/-

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

