

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73948 of 2022

Arising Out of PS. Case No.-424 Year-2022 Thana- BIDUPUR District- Vaishali

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RAVI RAI SON OF DEVENDRA RAI @ RAMLAL SINGH R/O
DAUDNAGAR, P.S.- BIDUPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyam Anand, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Bidupur P.S. Case No. 424 of 2022 instituted under Sections 147, 148, 149, 341, 324, 307, 379, 504 and 506 of the I.P.C. lodged on 05.08.2022 by the informant Ram Rekha Singh.

As per the FIR, the informant Ram Rekha Singh alleged therein that on 27/07/2022 at 10.P.M, the Petitioner along with the other co-accused armed with weapons arrived at the house of the informant and started abusing the informant. When the same was protested, Ramu Rai assaulted him with



farsa due to which informant's head bled. Thereafter, co-accused Ramu Rai and Shyamu Rai badly assaulted him with Iron Rod. In the meantime, the informant's son, Rama Sankar Singh entered to protect the informant but he too was dragged and assaulted by co-accused Sonelal Rai with Iron Rod due to which he also got injured. The informant further alleged that Paro Devi snatched golden chain from his neck and the petitioner Ravi Rai took out Rs. 70,000/- from his pocket, which was the truck fare. Accordingly, the F.I.R.

It has been contended by the learned counsel for the petitioner that main allegation of assault is on Ramu Roy, Shayamu Roy of using *farsa* and iron rod respectively while allegation against another accused Sone Lal Roy is of using iron rod. So far as the allegation against the petitioner is concerned, it has been alleged that he took out Rs.70,000/- from the informant's pocket. He submits that a bare perusal of the FIR would show that the entire family members have been roped in.

Learned APP opposes the prayer stating that he was present at the place of occurrence and as such his role cannot be ignored.

Considering the aforesaid facts that the main allegation is against Ramu Roy, Shayamu Roy, the petitioner is



in custody since 20.08.2022 (as stated in para-14 of the petition), this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Bidupur P.S. Case No. 424 of 2022 to the satisfaction of learned Court of J.M., 1st Class, Hajipur, Vaishali, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

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



(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.

(Rajiv Roy, J)

Prakash Narayan /-

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