

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78497 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- WARISNAGAR District- Samastipur

1. GUDDU RAM SON OF LAL BABU RAM RESIDENT OF VILLAGE - MOHADDINPUR, WARD NO.10, P.S. - WARISNAGAR, DISTRICT - SAMASTIPUR
2. SUNIL RAM @ SUNIL KUMAR SON OF LAL BABU RAM RESIDENT OF VILLAGE - MOHADDINPUR, WARD NO.10, P.S. - WARISNAGAR, DISTRICT - SAMASTIPUR
3. REETA DEVI WIFE OF LAL BABU RAM RESIDENT OF VILLAGE - MOHADDINPUR, WARD NO.10, P.S. - WARISNAGAR, DISTRICT - SAMASTIPUR
4. LAL BABU RAM SON OF RAM GULAM RAM RESIDENT OF VILLAGE - MOHADDINPUR, WARD NO.10, P.S. - WARISNAGAR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-12-2023 Heard Mr. Abhishek Kumar, learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioners apprehends their arrest in connection with Warisnagar P.S. Case No. 300 of 2023 for the offences registered under Sections 341, 342, 323, 324, 307, 379, 504, 506/34 of the I.P.C. lodged on 24.08.2023 by the Informant Ramadhin Ram.

3. As per the F.I.R., the allegation against the petitioner No. 4 Lal Babu Ram is that he came running and



started beating the informant's son which hit his stomach. When the informant came to see his son, Lal Babu Ram assaulted on his neck causing injury. He also assaulted in the stomach of the informant.

4. The further allegation is that when the informant raised '*hulla*', as the villagers started coming, his sons and wife also came and abused them. However, the villagers took them to the hospital whereafter the F.I.R.

5. Learned counsel for the petitioner submits that both admit that there is land dispute between the parties for which an exaggerated F.I.R. has been lodged.

6. Learned A.P.P., on the other hand, submits that a bare perusal of the F.I.R. would show that the accused Lal Babu Ram (petitioner No. 4) has given repeated blows both to the informant as also his son and only because of the villagers, they were saved.

7. Considering the allegations that has come against the petitioner No. 4 Lal Babu Ram, this Court is not inclined to extend him privilege of anticipatory bail, which is accordingly rejected. He is well advised to surrender at an earliest before the concerned Court failing which the Police shall take steps to arrest him.



8. So far as the other petitioners namely, Guddu Ram, Sunil Ram @ Sunil Kumar and Reeta Devi, (petitioner Nos. 1, 2 and 3 respectively) are concerned, only allegation against them is of abuse and snatching of gold ornaments, they will be ultimately facing the trial and they do not have any criminal antecedents, this Court is inclined to extend them privilege of anticipatory bail.

9. Let the petitioners namely, Guddu Ram, Sunil Ram @ Sunil Kumar and Reeta Devi, in the event of their arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of ₹ 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Samastipur in connection with Warisnagar P.S. Case No. 300 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 their



bail bond by the Trial Court itself;

(iii) the petitioners 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;

(iv) the petitioners 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)

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