

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.447 of 2023

Arising Out of PS. Case No.-553 Year-2022 Thana- MADHEPURA District- Madhepura

1. Birendra Ram @ Virendra Ram Son Of Bihari Ram Resident Of Village - Tekthi, Ward No.- 02, Police Station - Madhepura, District - Madhepura.
2. Gajendra Ram Son Of Late Tribeni Ram Resident Of Village - Tekthi, Ward No.- 02, Police Station - Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-05-2023 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

At the outset it is submitted that petitioner no.1 Birendra Ram @ Virendra Ram is arrested during the pendency of present anticipatory bail application and as such same become infructuous.

Considering the submissions, prayer for anticipatory bail for petitioner no.1 Birendra Ram @ Virendra Ram stands dismissed become infructuous.

Now, the present anticipatory bail application is limited only to petitioner no.2 Gajendra Ram.



The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Madhepura P.S. Case No.553 of 2022 registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 325, 307, 354-A, 379, 504 and 506 of the Indian Penal Code.

The allegation against the petitioner is to assault informant and others alongwith other co-accused persons using lathi and rod causing head and bodily injuries with the intention to cause death, where dispute arises out of use of common passage.

Learned counsel appearing on behalf of the petitioner submitted that allegation against this petitioner is appearing very much general and omnibus as per narration of F.I.R. It is submitted that present F.I.R. was lodged with the delay of seven days without any just explanation. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the nature of assault alleged to be caused by petitioner, which is appearing very much general and



omnibus, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura/concerned Court below where the case is pending in connection with Madhepur P.S. Case No.553 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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