

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.481 of 2023

Arising Out of PS. Case No.-39 Year-2022 Thana- SALIMPUR District- Patna

RAM EKBAL SAW @ EKBAL SAW S/o Late Sahdev Saw R/o Gyaspur,
P.S.- Salimpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Salimpur P.S. Case No. 39 of 2022 dated 05.03.2022
registered for the offence under Sections 147, 148, 149, 323,
324, 307 and 506 of the Indian Penal Code.

The petitioner and others are alleged to have
assaulted the father and uncles of the informant by lathi and
danda due to which they sustained injuries.

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 it appears from the F.I.R. that no specific



allegation of assault or any overt act is attributed to the petitioner rather there is general and omnibus allegation against the accused persons including the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. Moreover, several co-accused, who are eight in numbers, have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 14.03.2023 passed in Cr. Misc. No. 44770 of 2022. The petitioner is rotting in judicial custody since 01.10.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 J.M-1st Class, Barh in connection with Salimpur P.S. Case No. 39 of 2022 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)

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