

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17758 of 2024

Arising Out of PS. Case No.-491 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Rudal Ram Son of Shivdayal Ram, Resident of Village- Nariyarwa, PS-
Turkauliya, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Dhannjay Kumar, the learned counsel for
the petitioner and Mr. Bharat Bhushan, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Turkauliya PS Case No. 491 of 2022, FIR dated
30.05.2022, registered for the offences punishable under Sections
147, 341, 323, 324, 354(B), 379, 308, 385, 506 and 504 of the
Indian Penal Code.

3. According to prosecution case, the accused persons
assaulted the informant and his family members. It is further
alleged that on the order of Rudal Ram one Suraj Ram gave three
sword blows upon the informant and one Uma Devi snatched the
mangal sutra from the wife of the informant. It is further alleged
that the accused persons threatened the informant and demanded



Rs. 5,00,000/- (Rupees five lakhs) as *rangdari*.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and upon perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against the petitioner, rather the petitioner is only the order giver and both the parties are agnates and there is case and counter case between the parties.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, there is no specific allegation of any assault or overt act attributed against him and there is case and counter case between the parties, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran at Motihari, where the case is pending in connection with **Turkauliya PS Case**



No. 491 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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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