

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17965 of 2024**

Arising Out of PS. Case No.-408 Year-2023 Thana- DIGHWARA District- Saran

Surendra Kumar Ram @ Surendra Kumar Son Of Late Bas Deo Ram R/O-  
Hemantpur, P.S.-Dighwara, Distt.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-03-2024                      Heard Mr. Yashraj Bardhan, learned counsel for the  
  
petitioner and Mr. Narendra Kumar Singh, learned Additional  
  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dighwara P.S. Case No. 408 of 2023, F.I.R. dated 30.11.2023 for the offences punishable under Sections 342, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with his wife and two sons brutally assaulted the informant due to some land disputes.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case due to admitted land disputes between the parties. He further submits that there is case and counter case between



the parties. He further submits that although there is specific allegation against the petitioner that he has assaulted the informant but the injury report of the informant suggests that out of 6 six injuries, injury nos. 2, 3, 4 and 6 are simple in nature and injury no. 1 which is lacerated wound in middle head (occipital) 3" x 1/4" x 1/4" and injury no. 5 is pain and swelling in Lt. Hand.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he has assaulted the informant and apart from that the petitioner carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Additional Chief Judicial Magistrate-II, Saran at Chhapra in connection with Dighwara P.S. Case No. 408 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

- i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- 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 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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