

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18975 of 2024**

Arising Out of PS. Case No.-809 Year-2023 Thana- SARAIYA District- Muzaffarpur

Ram Ekwai Rai @ Jathu Rai @ Ramekbal Ray S/O Late Yadu Nandan Ray  
R/O Village- Marwa Pakar, P.S- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Madhuresh Singh, Advocate |
| For the State        | : | Mr. Bhanu Pratap Singh, APP   |
| For the Informant    | : | Mr. Anuj Kumar, Advocate      |

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

3      26-04-2024                      Heard Mr. Madhuresh Singh, learned counsel for the petitioner and Mr. Anuj Kumar, learned counsel for the informant as well as Mr. Bhanu Pratap Singh, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Saraiya P.S. Case No. 809 of 2023 registered for the offence under Sections 341, 342, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. The petitioner as well as others co-accused persons are said to have assaulted on the head of the informant with *farsa*.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation as



alleged in the FIR is false and fabricated and due to admitted land dispute the present occurrence has taken place. He further submits that from a bare perusal of the FIR it appears that the petitioner along with other co-accused persons have assaulted on the head of the informant with *farsa* but the injury report of the informant does not support the allegation as alleged in the FIR against the petitioner. He further submits that although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature. He further submits that the other co-accused persons namely, Parmeshwar Rai @ Parmeshwar Ray, Chandan Kumar, Raushan Kumar, Rakesh Kumar Yadav @ Rakesh Ray, Ram Dayal Ray, Rajesh Ray, Sikinder Rai @ Sikinder Ray and Jiyalal Ray have been granted anticipatory bail by this Court vide order dated 04.04.2024 passed in Cr. Misc. No. 21132 of 2024. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 12.01.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he has assaulted on the head of the informant



apart from that the petitioner carries two cases other than the present one but fairly submits on the basis of the paragraph-3 of the bail petition that the petitioner is on bail in all the pending matters.

6. 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 A.C.J.M., IV, West Muzaffarpur in connection with Saraiya P.S. Case No. 809 of 2023 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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