

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38043 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- KOCHAS District- Rohtas

1. Butan Ram Son of Gyatri Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
2. Rishimuni Ram Son of Gyatri Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
3. Mahendra Ram Son of Late Sudhan Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
4. Upendra Ram Son of Gyatri Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
5. Kedar Nath Ram Son of Gyatri Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
6. Ramwati Devi Wife of Butan Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
7. Munshi Ram Son of Sudhan Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
8. Keshnath Ram Son of Late Bhagwan Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
9. Arun Ram Son of Gyatri Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas
10. Badami Devi Wife of Keshnath Ram Resident of Village- Lehari, P.S.- Kochas Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2024 Heard Mr. Vinay Kumar Singh, learned counsel for

the petitioners as well as Dr. Ajeet Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in



connection with Kochas P.S. Case No. 126 of 2023, F.I.R. dated 15.04.2023 for the offences punishable under Sections 143, 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, all the accused persons were harvesting the wheat crop in the informant's field and when the informant protested against this then all the accused persons have abused the informant and took the grains with them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that as per the allegation the petitioners were harvesting wheat crops and they have stolen all the crops from the field of the informant. He further submits that due to previous enmity the petitioners are falsely been implicated in this case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. general and omnibus allegation against the petitioners.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that there is no allegation against these petitioners and the



petitioners have clean antecedent, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kochas P.S. Case No. 126 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. 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)

Vanisha/-

U		T	
---	--	---	--

