

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35931 of 2024

Arising Out of PS. Case No.-192 Year-2022 Thana- SIKTA District- West Champaran

1. Nadha Ram Son of Late Puran Ram Resident of Village- Biswa, Police Station- Langari, Dist.- Parsa (Nepal)
2. Bishun Ram son of Late Paran Ram Resident of Village- Biswa, Police Station- Langari, Dist.- Parsa (Nepal)
3. Akhilesh Ram son of Bishun Ram Resident of Village- Biswa, Police Station- Langari, Dist.- Parsa (Nepal)
4. Akash Ram Son of Jiaut Ram Resident of Village- Biswa, Police Station- Langari, Dist.- Parsa (Nepal)
5. Mahesh Ram son of Jagarnath Ram @ Jiaut Ram Resident of Village- Biswa, Police Station- Langari, Dist.- Parsa (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preeti Kumari, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-07-2024 Heard Ms. Preeti Kumari, learned counsel for the

petitioners as well as Mr. Sanjay Kumar Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sikto P.S. Case No. 192 of 2022, F.I.R. dated 19.12.2022 for the offences punishable under Sections 341, 323, 337, 353, 504/34 of the Indian Penal Code.

3. According to prosecution case, some Indian and Nepali people were fighting in drunken condition and when the



informant and other police personnel tried to control the situation then some of the miscreants started pelting stones upon the informant as well as on other police personnel due to which Chief Superintendent got injured.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. She further submits that the petitioners are named in the F.I.R and their names have been transpired on the basis of the disclosure made by the local villagers. She further submits that it appears from the F.I.R that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the F.I.R named and unnamed accused persons. She further submits that although the informant and others persons have received injury but the injury report of the injured persons suggest that the injuries are simple in nature.

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

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and there is no specific allegation against these petitioners, 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 Judicial Magistrate 1st Class, West Champaran, Bettiah in connection with Sikto P.S. Case No. 192 of 2022, 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)

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