

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37782 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- KOCHAS District- Rohtas

Monib Ram Son of Late Markandey Ram Resident of Village- Parsathua,
P.S.- Parsathua O.P., District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Kant, Advocate

For the Opposite Party/s : Ms.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-10-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 324, 307, 379, 504/34, 506/34 of the IPC in
connection with Kochas Parsathua O.P. Case No.376 of 2023.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Ashok Ram gave orders to kill because informant
had abused his son when he had gone to take something from
the shop two days earlier, on which Ravi Kumar assaulted the
informant by an iron rod causing injury over head and petitioner
assaulted by an iron 'Rami' over the left leg of the informant
while Baby snatched gold chain and rupees five thousand from
his pocket.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that initially the informant alleges that he was assaulted by all the accused persons and thereafter in the second part alleges that he was assaulted by Ravi and petitioner. It is also submitted that from perusal of Annexure-2, it would manifest that the opinion with regard to the injury no.1,2 and 3 has been reserved, but then injury no.2 and 3 are pain and swelling on right forearm and injury no.3 is pain in the left knee, it is also submitted that injury no.1 is on the head and injury no.4 has been opined to be simple.

5. It is next submitted that allegation of assaulting on head is against Ravi Kumar. It is also submitted that even presuming what has been alleged is true without admitting then petitioner is alleged to have assaulted on non-vital part of the body. It is further submitted that though informant was referred to Sasaram for better treatment, but then it appears that he never went to Sasaram as would manifest from para-87 of the case diary wherein it has been recorded that despite best endeavours of the Investigating Officer the informant has not produced the



prescription relating to his treatment. It is also submitted that petitioner will not abscond, rather will cooperate in the investigation to prove his innocence.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rohtas at Sasaram in connection with Kochas Parsathua O.P. Case No.376 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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