

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42840 of 2024

Arising Out of PS. Case No.-4 Year-2021 Thana- KALER District- Jehanabad

Butan Ram @ Chhote Lal Kumar son of Bisupat Ram Village- Rajpura Ps-
kaler Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 447, 307, 34 of the Indian Penal Code.

3. As per the prosecution case, the allegation levelled against the petitioner is that he along with other co-accused persons assaulted the son of the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further



submits that the petitioner was granted the benefit of Section 41A of the Cr.P.C., but later on charge-sheet has been submitted against him. The learned Court below has also taken cognizance against the petitioner. The injury sustained by the injured is simple in nature. Similarly situated co-accused has been enlarged on bail by this court vide order dated 27.07.2023 passed in Cr. Misc. No. 35804 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kaler P.S. Case No. 04 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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