

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48572 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- KOPA District- Saran

1. Alok Kumar Ram Son Of Shivcharan Ram, R/o Village- Rewari, P.S- Kopa, Dist- Saran At Chapra
2. Sanjeet Ram Son of Shivcharan Ram R/o Village- Rewari, P.S- Kopa, Dist- Saran at Chapra
3. Munna Ram Son of Gajadhar Ram R/o Village- Rewari, P.S- Kopa, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2024 Heard Mr. Rakesh Kumar, learned counsel for the petitioners and Mr. Navin Kumar Pandey, learned APP for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw the petition with respect to petitioner no. 2, namely, Sanjeet Ram.

3. Permission is accorded.

4. The bail application with respect to petitioner no.2, namely, Sanjeet Ram is dismissed as withdrawn.

5. The petitioners (except petitioner no.2) are apprehending their arrest in connection with Kopa P.S. Case No. 239 of 2023, dated 20.11.2023 registered for the offences



punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 of the Indian Penal Code.

6. Allegation against the petitioners is that they along with other co-accused persons assaulted the informant and others by lathi and danda due to which they sustained injuries and during course of marpit, wife of the informant came to save him then Chandan Ram snatched golden *Mangalsutra* from the neck of the wife of the informant.

7. Learned counsel for the petitioners (except petitioner no.2) submits that the petitioner no. 1, namely, Alok Kumar Ram carries one more case other than the present one in which he is on bail whereas petitioner no. 3, namely, Munna Ram has clean antecedent and they have been falsely implicated in the present 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 offence as alleged in the F.I.R. and although the informant and his side have received injuries but the injury report of the informant suggests that the injury is grievous in nature but the same was inflicted by co-accused Sanjeet Ram and some of the injuries are found to be simple in nature and there is case and counter case between the parties.

8. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners (except petitioner no.2).

9. Considering the aforesaid facts as well as nature of



injury, let the petitioners (except petitioner no.2), above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Kopa P.S. Case No. 239 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners (except petitioner no.2) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners (except petitioner no.2) tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners (except petitioner no.2) and in case at any stage, it is found that the petitioners (except petitioner no.2) have concealed their criminal antecedents, the court below shall take step for cancellation of



bail bond of the petitioners (except petitioner no.2). 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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