

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52957 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- PIPRIYA District- Lakhisarai

1. Hareram Ram Son of Late Bengali Ram Resident of Village - Ramchandrapur, Police Station - Piparia, District - Lakhisarai.
2. Rahul Kumar Son of Hareram Ram Resident of Village - Ramchandrapur, Police Station - Piparia, District - Lakhisarai.
3. Shivam Kumar Son of Baban Ram Resident of Village - Ramchandrapur, Police Station - Piparia, District - Lakhisarai.
4. Saurav Kumar @ Golu Son of Hareram Ram Resident of Village - Ramchandrapur, Police Station - Piparia, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Amrendra Kumar, learned counsel for the petitioners as well as Mr. Pramod Kumar Pandey, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Piparia P.S. Case No. 04 of 2023, F.I.R. dated 14.01.2023 for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have surrounded the informant and assaulted him by means of iron rod upon his head and fled away.

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 due to previous admitted land dispute between the parties, the present occurrence has taken place. He further submits that it appears from the F.I.R that there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that although the informant has received injury but the injury report suggests that the injury is simple in nature caused by hard and blunt substance.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is no allegation of any assault or overt act attributed 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 Chief Judicial Magistrate, Lakhisarai in connection with Piparia P.S. Case No. 04 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	
---	--	---	--

