

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61009 of 2024

Arising Out of PS. Case No.-489 Year-2023 Thana- BUXAR MUFFASIL District- Buxar

1. Anil Ram S/O Tilakdhari Ram, R/O Village- Kamarpur, P.S- Buxar Muffasil, Distt.- Buxar.
2. Tilakdhari Ram S/O Mosafir Ram, R/O Village- Kamarpur, P.S- Buxar Muffasil, Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ravi Shankar Pathak, Advocate
For the Opposite Party : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 23-08-2024 Heard Mr. Ravi Shankar Pathak, the learned counsel

for the petitioners and Mr. Ram Anurag Singh, the learned

Additional Public Prosecutor for the State.
2. Petitioners seek regular bail who are in custody since

26.06.2024, in connection with Sessions Trial No. 194 of 2024,

arising out of Buxar (Muffasil) P.S. Case No. 489 of 2023, FIR

dated 15.11.2023, registered for the offences punishable under

Sections 341, 323, 324, 307, 302, 354(B), 379, 504 and 506 read

with Section 34 of the Indian Penal Code.
3. According to the prosecution case, the neighbour of

the informant namely, Dinesh Ram started abusing the informant

and his family members and upon their objection, he inflicted iron-

rod blow on the head of informant's brother due to which he

sustained head injury and fell down. It is further alleged that the



other co-accused persons also assaulted the informant and his family members. It is further alleged that informant's brother later succumbed to his injury.

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 that from bare perusal of the FIR, it appears that FIR is in two parts, in the first part, there is specific allegation of assault that is attributed against the co-accused person namely, Dinesh Ram and in the second part, there is general and omnibus allegation against all the co-accused persons including the petitioners. He further submits that due to some petty reason the present occurrence has taken place and the petitioners are in custody since 26.06.2024.

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

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioners have clean antecedent and the allegation levelled against the petitioners is general and omnibus in nature, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-IX at Buxar, in



connection with **Buxar (Muffasil) P.S. Case No. 489 of 2023**,
subject to the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper 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 learned trial Court 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 learned trial Court 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)

Shahnawaz/-

U		T	
---	--	---	--

