

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67267 of 2024

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

Narayan Ram S/O Musaphir Ram R/O Village- Kamarpur, P.S- Buxar
(Muffasil), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-09-2024 Heard Mr. Bhaskar Shankar, the learned counsel for
the petitioner and Mr. Ram Sumiran Rai, the learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail who is 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 302, 341, 323, 324, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code.

3. According to the prosecution case, specific allegation against co-accused person, namely dinesh Ram, is that the inflicted '*khanti*' blow upon the head of the informant' s brother Jyoti Prakash Ram (deceased) resulting in his death at Trauma Center, Varanasi during his treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in connection with the present case. He further submits that on perusal of the FIR, submits that the FIR is in two parts, in first part there is specific allegation of assault is against co-accused person, namely, Dinesh Ram, who assaulted with 'khanti' and the second part, there is general and omnibus allegation against all the accused persons including the petitioner. It is further submitted that similar situated co-accused persons, namely, Anil Ram, Tilakdhari Ram, Bhola Ram, Dully Ram, Arvind Ram and Musafir Ram have been granted bail vide order dated 23.08.2024 and 28.08.2024 passed in Cr. Misc. Nos. 61009 of 2024 and 25915 of 2024.

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

6. Considering the facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge -IX, Buxar in connection with Buxar (Muffasil) P.S. Case No. 489 of 2023, subject to the



following conditions:

(i). Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner 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 learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. 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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