

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73147 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- BALIYA District- Begusarai

Ram Prawesh Kumar, Son of Setho Mahto Village- Mirzapur, Dih, P.O.
-Hussaina, P.S.- Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y. C. Verma- Sr. Advocate
Ms. Priyanka Singh
For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-10-2024 1. Heard learned senior counsel for the petitioner, the learned counsel appearing on behalf of the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 323, 384, 385 and 302 of the Indian Penal Code.
3. The learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 01.05.2024 at 6.00 A.M., the accused persons including the petitioner came variously armed for seeking extortion and started abusing his father. On protest, accused Babesh Kumar said that he has sold land and has not



given extortion of Rs.3 Lacs and gave orders to kill and thereafter, petitioner caught his father from behind, while Manoj and Babesh caught both his hands and Navesb assaulted his father by Axe causing injury on head, thereafter Kicho Devi and Sita Kumari caught his mother by hair and dashed her on the ground and assaulted by leg and fist, while Kanchan and Salgam Devi started pressing the neck of the informant along with his testicles, but he managed to save himself. Further, his father died on way to hospital.

4. The learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case on account of dispute relating to land. It is further submitted that specific allegation of assaulting the father of the informant is against Navesb and petitioner along with Manoj and Babesh are alleged to have caught him as detailed in the FIR. It is further submitted that on account of dispute relating land, an altercation took place in which both sides assaulted each other. It is further submitted that petitioner has been implicated with an allegation that he caught the father of the informant from behind. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence, but then, it is submitted that petitioner is not the



assailant.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia P. S. Case No.146 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned



Police Station through the learned trial Court.

(Satyavrat Verma, J)

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