

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.75197 of 2023**

Arising Out of PS. Case No.-34 Year-2023 Thana- BAIKUNTHPUR District-  
Gopalganj

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RAMESH RAM SON OF LATE SAKHICHAND RAM @ LATE SAKICHAN RAM  
RESIDENT OF VILLAGE- KHAIRA AZAM , PS- BAIKUNTHPUR, DISTT-  
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Indrajeet Bhushan, Adv.     |
| For the Opposite Party/s | : | Mr.Tarun Prasad Mandal, APP    |
| For the Informant        | : | Mr. Sumit Shekhar Pandey, Adv. |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
ORAL ORDER

3      05-03-2024                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Baikunthpur P.S. Case No. 34 of 2023 registered for the  
offence under Sections 341, 323, 324, 307, 504 and 34 of the  
Indian Penal Code lodged on 27.01.2023 by the informant, Gulab  
Ram.

3. As per the prosecution story, the informant alleged  
that the accused persons armed variously entered the house of  
the informant and petitioner gave farsa blow causing injury to  
Savita Devi and she fell on the ground. Assault on informant is  
also there to other accused persons. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that



actually the informant side has trespassed the petitioner's house when a female was alone in the house, this led to altercation which followed a case and a counter case, this petitioner do not have criminal antecedent.

5. Further the submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner intends to pay Rs. 5,000/- on his own to the informant.

6. Learned A.P.P. for the State, on the other hand, opposes the prayer stating that though belatedly a counter case has come into existence, the fact remains that Savita Devi was assaulted by this petitioner, though he conceded that the injury has been found simple in nature.

7. Taking into account aforesaid fact as also that the injury has been found to be simple in nature, petitioner do not have criminal antecedent and he is an aged person, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs.5,000/- to be paid to the informant.

8. Let the petitioner, above named. in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 34 of 2023 subject to condition as laid



down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

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