

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84637 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- BHORE District- Gopalganj

SHANKAR RAM Son of Late Natha Ram Resident of village - Mishrauli,
Police Station - Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr.Umesh Kumar Singh, learned counsel
for the petitioner and Mr.Abhay Kumar Roy, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhore P.S.Case No.151 of 2023, FIR dated 11.04.2023 registered for the offences punishable under Sections 341,323,307,504 and 34 of IPC.

3. The prosecution case, in brief is that the informant of this case Sunita Devi has given a written information to the S.H.O. Bhorey police station, stating therein that on 11-04-23 at about 10:00 am. she was keeping Bhakhar in her kastkari land, then accused persons namely 1- Prahalad Ram, 2- Shankar Ram, 3- Sona Devi, 4- Saroj



Kumari and 5- Vandana Devi has broken her head by hitting with lathi-danda, iron-rod, bricks and stone, when her father-in-law Rang Lal Ram came to save her, then they also assaulted him. Her Dayadin Urmila Devi and Rubi Kumari came to save them, accused persons also assaulted and injured their heads. Accused persons also assaulted with lathi on the head of Shankar Ram due to which head was injured.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case due to admitted land dispute between the parties. Further submits that from a bare perusal of the FIR it appears that the specific allegation against the petitioner is that he assaulted to Sunita Devi, Urmila Devi and Rubi Kumari, although, they have been injured but the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, injury is simple in nature and the petitioner has clean antecedent, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S.Case No.151 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) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(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 court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below 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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