

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82063 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- PRATAPGANJ District- Supaul

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INDRADEV RAM @ PRAMOD RAM S/O Late Pulanand Ram, Resident of
Village- Bhawanipur (South), Ward No 15, P.S-Pratapganj, Dist. Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kanika, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Ms. Kanika, 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 Pratapganj P.S. Case No. 91 of 2023, F.I.R. dated 22.05.2023 for the offences punishable under Sections 147, 148, 149, 447, 448, 323, 324, 307, 354(B), 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioner is said to have assaulted the husband of the informant by means of iron rod.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from bare



perusal of the FIR it appears that due the admitted land dispute, the present occurrence took place between the parties. He further submits it appears that the present FIR is in two parts, in first part there is general and omnibus allegation attributed against the petitioner and in the second part there is specific allegation against the petitioner that he has assaulted with the iron rod to the husband of the informant and others co-accused persons have also assaulted the other family members of the informant. He submits that although the husband of the informant received injury but the injury report suggests that the injury found upon the victim is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 the learned S.D.J.M., Birpur, Supaul in connection with Pratapganj P.S. Case No.91 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 absence on two consecutive dates without sufficient reason, his 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 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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