

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83301 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- ISUAPUR District- Saran

1. Sunil Ram
2. Krishna Ram
3. Shambhu Ram
All are Sons Of Gulab Chand Ram.
4. Rakesh Ram @ Rakesh Kumar Ram Son Of Meghnath Ram.
All are Resident Of Village - Darwa, P.S. - Isuapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mrs.Sangeeta Sharma,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr.Krishna Kumar Yadav, learned counsel for

the petitioners and Mrs.Sangeeta Sharma,learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Isuapur P.S.Case No.14 of 2023, FIR dated 13.01.2023 registered for the offences punishable under Sections 147,341,323,324,307,504 of the Indian Penal Code.

3. The prosecution story in brief is that the informant Puslipa devi lodged an FIR alleging therein that on 13:01 2023 at around 01:30 P M his son Sonu Kumar Ram was returning home from College and when he reached near his house and



since prior neighbouring accused persons namely (1)Prem Kumar (2) Santosh Kumar (3) Chandan Kumar (4) Asha Devi (5) Unuila Devi (6) Dharmawati Devi (7) Neelam Kumari (8) Kaushlya Devi (9) Champs Devi (10) Rakesh Ram (Petitioner No.4) (11) Sunil Ram (Petitioner No. 1) (12) Shambhu Ram (Petitioner no. 3) (13) Krishna Ram (Petitioner No. 2) abusing due to previous dispute and armed with Lathi danda and rod and seeing her son they started assaulting her son with lathi-danda etc. and in the meantime Prem Kumar assaulted her son on his head by rod with a view to kill him and he fell down and when she came to save him they also assaulted her in which Santosh Kumar assaulted her by rod and when the son of her husband's younger brother came to save they also assaulted him and Chandan Kumar assaulted him by rod and petitioner Sunil Ram also assaulted to him with lathi on his head and when her husband Harindra Ram came to save they also assaulted him with lathi-danda and fists due to which they became injured and went to Samudayik Health Centre, Isuapur for treatment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that there is case and counter case between the parties and from a bare perusal of



the FIR it appears that there is general and omnibus allegation against all the accused persons and there is specific allegation against petitioner No.1, Sunil Ram that he assaulted to the son of the informant, namely, Vivek Kumar, although the son of the informant has received injury but injury report of the son of the informant suggests that the injury is simple in nature.

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

6. Considering the aforesaid facts, there is case and counter case and petitioners have clean antecedent, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Chapra, Saran in connection with Isuapur P.S. Case No.14 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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