

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3237 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- CHIRAIYA District- East Champaran

Subh Narayan Ram @ Subh Narain Ram son of Jaga Ram resident of village-
Mishrauliya, P.S.-Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chiraiya P.S. Case No. 20/2023 registered for the offences
punishable under Sections 341, 323, 324, 307, 447, 448, 379,
504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have
assaulted upon the head of informant's son Himanshu Kumar as
a result of which he sustained injury on head.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the FIR. The victim Himanshu Kumar sustained
injury on head and all the injuries are simple in nature. He
further submits that from perusal of the FIR, dispute arose from



playing the song loudly as no intention is attributed in dispute of petty nature, so no offence is made against the petitioner for the offence punishable under Section 307 of the Cr.P.C. The petitioner is languishing in custody since 09.10.2023 and bears criminal antecedent of four cases including the present case and learned counsel for the petitioner orally submits that in all three cases he is on bail. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 20/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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