

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5459 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

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Madan Ram, son of Late Bhukhan Ram Resident of village- Turki, P.S.
-Kudra, District-Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Pandey, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kudra P.S. Case No. 215 of 2024, registered for the offences under Sections 448, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons came to the doors of the informant and started assaulting them with *lathi*, *garasa* and a gun. The allegation against the petitioner is that of opening fire upon one Umesh Ram, who intervened to pacify the parties. Other persons also received injuries in the assault by the petitioner and other co-accused persons. The occurrence took place in the



background of earlier dispute of the parties.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Only allegation against the petitioner is of assaulting Umesh Ram and injury of Umesh Ram has been found to be simple in nature. There was dispute between the parties and for the said reason, this false case has been lodged. There is case and counter case and the petitioner's side lodged Kudra P.S. Case No. 216 of 2024. Now, the dispute between the parties has been resolved and a compromise petition has been filed in both the cases. The petitioner is in custody since 19.10.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the simple nature of injuries for which allegation is against the petitioner and further considering the submission of charge sheet, period of custody of the petitioner along with his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand



Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2, Mohania, Kaimur at Bhabua/concerned court, in connection with Kudra P.S. Case No. 215 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

