

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16130 of 2025

Arising Out of PS. Case No.-166 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Suraj Ram @ Suraj Kumar S/O Dinesh Ram Resident of Begam Sarai, P.S.-
Bachhwara, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate
For the State : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Udbhav, learned counsel for the
petitioner and Mr. Khurshid Anwar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
25.11.2023, in connection with S.T. No. 123/24 arising out of
Piri Bazar P.S. Case No. 166/2023, FIR dated 25.11.2023
registered for the offence under Sections 147, 148, 149, 323,
341, 452, 324, 307, 302, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioner along
with other co-accused persons has assaulted to the informant
and family members due to which they sustained injuries.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He
further submits that although the petitioner is named in the FIR



but it appears from the FIR itself that there is no specific allegation of any assault or overt act rather there is general and omnibus allegation attributed against all the accused persons including the petitioner. He further submits that similarly situated other co-accused person, namely, Saldev Sada has already been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 46817 of 2024. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 25.11.2023.

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

6. Considering the aforesaid facts that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act rather general and omnibus allegation against all the accused persons including the petitioners and similarly situated other co-accused person has already been granted bail by this Court, let the, above named, petitioner 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 A.D.J. 1st Cum Special Judge SC/ST, Lakhisarai in connection with S.T. No. 123/24 arising out of Piri



Bazar P.S. Case No. 166 of 2023 with the 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 canceled 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.

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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