

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54785 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- PAROO District- Muzaffarpur

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Ram Pravesh Das S/o Chandeshwar Das R/O Village Koiriya Nizamat P.S-
Paroo, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 22-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Paroo P.S. Case No. 39 of 2024 registered for the offences under Sections 341, 323, 324, 325, 354, 308, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons along with 50-60 unknown persons who were armed with lahti, danda, sword and gun attacked the informant and his family members. The allegation against the petitioner is that he gave sword blow on the head of the informant who became unconscious. Thereafter, when his mother, aunt and elder brother intervened, co-accused persons



also assaulted him and elder brother of the informant was dragged out and was being buried alive when the villagers assembled and the assailants fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No occurrence as alleged has ever taken place. The present case is counter blast of Paroo P.S. Case No. 38 of 2024 which has been registered under Section 308 and other allied sections of the IPC. In the said case, the petitioner and his wife have been brutally assaulted by the informant of this case and others who wanted to grab the land of the petitioner and when it was opposed vt the petitioner and his family members, they were assaulted causing a number of serious injuries to them. Paroo P.S. Case No. 38 of 2024 has been lodged by the younger brother of the petitioner as the petitioner was very serious and he was referred to SKMCH for treatment and thereafter to AIIMS and he is still undergoing treatment. Learned counsel further submits that due to the violent act of the informant and his family members, the villagers threatened them and this petitioner was not in a position to assault the informant and his family members. Learned counsel further submits that the present FIR has been lodged after delay of 22 days when the



informant came to know about the case lodged by the brother of the petitioner. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the specific allegation against the petitioner is that he gave sword blow on the head of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the earlier lodged FIR of the petitioner side and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, 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 Court No. 2, Judicial Magistrate, Ist Class, Muzaffarpur (West)/concerned court in connection with Paroo P.S. Case No. 39 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S. 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
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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