

In the court of ADJ-VI, Maner, Patna

Session Trial NO - 38/22

[Arising out of Maner P.S. Case no. - 50/2020]

State of Bihar Vs. (1) Shri Mala Rai, and (2) Ram Kumar

Order
20/04/22

(i) This Bail Petition u/s- 439 CrPc is filed by the accused, namely Shri Ram Kumar @ Nimal Ray, S/o - Shri Shyam Nandan Ray, R/o - Chhitnawan, P.S. - Maner, District - Patna in as much as the aforesaid accused is languishing in Jail since 30.10.2021.

(ii) The prosecution case, in short, is that the informant, Arjun Rai lodged a written report before the SHO of Maner stating that on 01-02-20 at 9:00 A.M, the co-sharers of the Informant including the petitioner assaulted the Informant and his nephew by means of bricks, stone and sharp cutting weapon (the back side of gasasi) injuring the Informant and his nephew. As per Informant, Petitioner and another accused, Shri Mala Ray snatched the mobile and post of the Informant.

(iii) I have heard the Ld. counsels for the parties as well as perused the records of the case.

(iv) From the records, it is clear that the aforesaid case was registered for the offences punishable u/s - 147, 148, 149, 323, 307, 504 and 379 of the IPC. From the written report, it is clear that except the allegation of snatching of mobile phone, no other overt act is specifically attributed against this accused - Ram Kumar. Also, Ram Kumar was arrested on 30.10.2021, and since then he is in judicial custody. In other words, this accused is in judicial custody since last six (6) months. From the records, it is also clear that ADJ-I has granted bail to similarly situated accused vide order dated 06-01-2022. Also, Hon'ble Patna High Court has allowed the prayer of pre-arrest bail of co-accused (1) Shyam Nandan Ray, and (2) Dibu Kumar. Thus, taking into the account the entirety of the facts as mentioned above, let the above-named Petitioner be released on bail bond of Rs. 25000/- with two local Sureties of like amount with the conditions undertaken as mentioned in Sec. 437(3)(a) of CrPc put up this case for framing charges on 29/04/22. All the accused persons are discharged from imprisonment on 29/04/22 for framing charges.



B Singh

ADJ-VI

20/04/22