

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22431 of 2017**

Arising Out of PS.Case No. -170 Year- 2013 Thana -AURAI District- MUZAFFARPUR

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Karan Ram, son of Vinod Ram, of Village- Ganguli, P.S.- Aurai, District-  
Muzaffarpur.

.... .... Petitioner.

Versus

The State of Bihar.

.... .... Opposite Party.

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**Appearance :**

For the Petitioner : Mr. Arun Kumar, Advocate.

For the State : Mr. Rajendra Singh Shastriji, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

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4      28-07-2017                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Aurai P.S.  
Case No.170 of 2013 (Sessions Trial No.349 of 2016) registered  
under Sections 302 and 120(B)/34 of the Indian Penal Code  
besides Section 27 of the Arms Act.

The allegation of the informant Lakhindra Sah is that  
his father Ramavtar Sah used to sell the onion and potato on a  
bicycle. Two months earlier, Sarvesh Das had made a demand of  
Rs.5,00,000/- as ransom from him and his father on the mobile of  
the informant to which the informant had showed his inability.  
Thereafter, after fifteen days, Sarvesh Das again made a call on



the mobile of the informant and asked the informant to pay Rs.4,00,000/-, if he is not able to pay Rs.5,00,000/- to him. After twenty days, he again asked the informant to pay at least Rs.2,00,000/- giving threatening to ruin his family. On 26.09.2013 at about 10.00 A.M., he asked the informant from his mobile to send two bags rice and one cane of mustered oil from Ashok Kirana shop and two quintals of onion and one quintal of potato from his possession and Rs.2.50,000/- either from his vehicle or from the vehicle of Bhikhari Das to Dumra. After sometimes, Laxman Das, son of Bhikhari Das, came and asked for the articles demanded by Sarvesh Das and the informant gave him two bags of rice and one cane of mustered oil from Ashok Kirana Shop and two bags coal. On 27.09.2013 at about 10.00 A.M., Sarvesh Das asked the informant on his mobile that he had not given the money, as demanded, and he should be ready for dire consequences and his several suiters are roaming and the petitioner is also one of them. On 27.09.2013 in the evening at about 06.00 P.M., when the father of the informant was returning to his house on a bicycle after selling the potato and onion, on the way, Sarvesh Das and this petitioner came on motorcycle and shot fire at the head of his father and he died on the spot. Punam Kumari was doing the work of liner and conspirator in the matter.



Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence and, on mere suspicion, he has disclosed the name of the petitioner. In course of investigation, no witness has stated about seeing the occurrence. Except suspicion raised by the petitioner, no material has been collected by the Investigating Officer during investigation. The petitioner is in custody since March, 2017. While the petitioner is accused in four other cases, as detailed in paragraph-3 to this application, but in two cases, he has already been acquitted and in two cases, he is on bail.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 10<sup>th</sup> Additional Sessions Judge, Muzaffarpur, in connection with Aurai P.S. Case No.170 of 2013 (Sessions Trial No.349 of 2016). Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on



each and every date fixed in the case during the course of the trial.

If the petitioner fails to attend the trial court, on two consecutive dates, during the course of the trial, without any reasonable cause being shown, the trial court would be at liberty to cancel the bail bonds of the petitioner.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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