

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28337 of 2017

Arising Out of PS.Case No. -98 Year- 2015 Thana -GOVINDPUR District- NAWADA

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1. Karu Ram, son of Sukar Ram, resident of Village- Sughri, Police Station- Govindpur in the district of Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

This is the second round of litigation for regular bail, which was earlier rejected by order dated 23.05.2016 passed in Cr. Misc. No. 10206 of 2016.

The petitioner is languishing in judicial custody since 24.10.2015 in a case registered for offences punishable under Sections 147, 148, 149, 302 and 201 of the Indian Penal Code.

The prosecution case as lodged by the informant is that on 22.01.2015 the informant along with his brother, Indradeo Yadav went to village Sughri to see durga Puja fair where the informant's brother demanded dues money Rs. 5000/- from Rambali Ram of village- Sughri upon which Rambali Ram started



altercation with the informant's brother and abused. In the meantime, Mithu Ram, Munni Ram, Karu Ram (petitioner), Ratan Ram, Naresh Ram, Vijay Ram and Chhotelal Ram surrounded the informant's brother and hit him with lathi, Bhala, Tangi, Garasa upon which the informant and others wanted to pacify the matter but Ram Bali Ram inflicted a Tangi blow due to which he sustained injury on his neck and all the accused persons dragged the informant's brother to the house of Dewa Ram where Karu Ram assaulted the informant's brother on his head twice with tangi as a result of which the informant's brother died and all the accused persons threw his dead body in the paddy field with a view to conceal the evidence. It is also alleged that the wife of Dewa Ram, namely Baby Devi was washing the blood oozing out from the informant's brother with water with a view to conceal the evidence because Dewa Ram had assaulted the informant's brother with axe.

It has been submitted by the learned counsel for the petitioner that the injury caused on the deceased was by several persons can not be attributable only to the petitioner. It is further submitted that the petitioner has no criminal antecedent and has been falsely implicated due to the inimical terms with the informant's side and that charge sheet has already been submitted



against the petitioner, hence, there is no chance of tampering with the prosecution evidence.

However learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- V, Nawada in connection with Govindpur P.S.Case No. 98 of 2015, subject to the conditions that one of the bailors would be a close relative of the petitioner and the petitioner will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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