

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12475 of 2017

Arising Out of PS.Case No. -287 Year- 2014 Thana -BARBIGHA District- SEKHPURA

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1. Bipin Ram ,
2. Gautam Ram
3. Uttam Ram, All Sons of Late Dani Ram, R/o Village- Chhema, P.S.-
Sheikhopur Sarai, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-04-2017 Heard both sides.

The petitioners apprehend their arrest in Barbigaha
P.S. Case No. 287/2014, registered for the offences punishable
under Sections 302 and 34 of the Indian Penal Code.

Kailash Ram the informant alleged that his son
Ranjay Kumar had gone to Barbigaha market along with Raju
Kumar. His son came across with Vikky Kumar who took Ranjay
and Raju to the house of his *Phua* where marriage of his *Phua* was
to be solemnized. While the son of the informant Ranjay, Raju and
Vikki were returning, the petitioners administered some intoxicant
substance to Ranjay and assaulted him with iron rod. The son of
the informant somehow came and informed the informant about



the occurrence.

Learned counsel for the petitioners submits that the police after investigation submitted charge-sheet under Sections 279, 304(A) of the Indian Penal Code. The F.I.R. was lodged after 26 days of the occurrence, but the learned court below took cognizance under Sections 302 and 34 of the Indian Penal Code against the petitioners and others. It is further submitted Mantu Ram, Vikki Kumar @ Sagar Ram have already been enlarged on anticipatory bail vide order passed in Cr. Misc. 2694/2017. The case of the petitioners stands on the same footing as that of other accused persons.

Learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioners, but could not be able to distinguish the case of the petitioners from other accused persons who have been granted anticipatory bail.

Considering the facts aforesaid and the fact that similarly situated co-accused persons have already been granted anticipatory bail, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount



each to the satisfaction of Additional Chief Judicial Magistrate- II,
Sheikhpura in connection with Barbigha P.S. Case No. 287/2014,
subject to the conditions as laid down under Section 438(2) of the
Cr. P.C.

(Prabhat Kumar Jha, J.)

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