

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59277 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- CHANPATIA District- West Champaran

1. Belas Ram, Son of Late Shiv Mahra,
2. Raju Ram, Son of Sri Belas Ram,
3. Sukdeo Ram @ Sukhdeo Ram, Son of Sri Belas Ram, All residents of Village- Rampurwa, P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-12-2018 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Chanpatia P.S. Case No. 187 of 2017 registered for the offences punishable under Sections 341, 323, 308, 447, 380, 304, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has stated in his fardbeyan that on 22.05.2017 at 6 A.M. when he was sitting near his door due to land dispute four persons as named in fardbeyan including three petitioners came and assaulted him and also took away Rs. 30,000/- cash kept under his pillow, he was admitted to hospital and subsequently he died.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case due to land dispute. According to postmortem report the death is normal and due to cardiac arrest. Petitioners are in custody since 26.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, West Champaran at Bettiah, in connection with Chanpatia P.S. Case No. 187 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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