

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64564 of 2018

Arising Out of PS. Case No.-56 Year-2017 Thana- JANDAHA District- Vaishali

Ramdev Ram, Son of Late Ram Autar Ram, Resident of Village- Dih
Buchauli, P.S.- Jandaha, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand
For the Opposite Party/s	:	Mr. Najmul Hoda
		Mr. Arjun Prasad
For the State	:	Mr. Sri Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner, the informant
and the learned A.P.P. for the State.

The petitioner seeks bail in Jandaha P.S. Case No.
56/2017, instituted for the offences under Sections 302, 326 and
34 of the Indian Penal Code read with Section 27 of Arms Act.

It is alleged in the written report that on the date of
occurrence husband of informant along with two persons,
namely, Yugeshwar Rai and Kishun Ram were coming on
motorcycle. The husband of informant was driving the
motorcycle. It is further alleged that when her husband reached
near Phula Baram, Bind Tola Dih Buchauli, the petitioner along
with other named accused persons made indiscriminate firing on
her husband and also caused injury with



Tengari on the head and neck. Husband of the informant died on the spot.

Learned counsel for the petitioner has submitted that both eye-witnesses, namely, Yugeshwar Rai and Kishum Ram have given their statement before the police in which they have not claimed to identify the accused persons including the petitioner.

Learned Addl. P.P. after looking into case diary has submitted that in paragraphs 33 and 34 of case diary both the witnesses have given their statement. They have not claimed to identify any of the accused persons.

From the written report, it appears that informant is not eye-witness of the occurrence.

Learned counsel for the petitioner has submitted that other co-accused with similar allegation has already been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 31648/2017 dated 13.07.2017.

Petitioner is in custody since 20.05.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 56/2017, subject to the conditions that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J.)

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