

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20239 of 2019

Arising Out of PS. Case No.-264 Year-2018 Thana- RAMGARHWA District- East
Champaran

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LAL BABU RAM Son of Vishwanath Ram Resident of Village - Yogwaliya,
P.S.- Ramgarhwa, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary,A.P.P.
For the Informant : Mr.Patanjali Rishi

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

ORAL ORDER

4 25-07-2019 Heard the parties.

The petitioner seeks pre-arrest bail in Ramgarhwa
P.S.Case No.264 of 2018 registered for the offence under
Section 302/34 of the Indian Penal Code.

Accusation is that on 04.11.2018 at about 8.00 P.M.
while the informant Narayan Ram was going to sleep after
taking meal and his son Pradeep Kumar Ram went outside his
house to see his she buffalo, all of a sudden Bhola Ram armed
with Garansi, Lal Babu Ram armed with lathi who is petitioner
herein, Deba Ram, Shashi Ram, Chandrika Ram, Vishwanath
Ram, Rajendra Ram and Moti Lal Ram came there and out of
them seven accused persons caught hold of him and Bhola Ram



gave garansa blow on the neck of the son of the informant causing cut injury and after hearing alarm of his son the informant rushed to the place of occurrence and saw eight persons including the petitioner fleeing away and thereafter with the help of villagers he took his son to hospital but in the way he succumbed to his injury.

Submission of learned counsel for the petitioner is of denial.

Learned A.P.P. vehemently opposed the prayer for bail of the petitioner on the ground of nature of allegation.

Having considered the facts and circumstances of the case as also nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for pre-arrest bail of the petitioner is rejected.

However, he is directed to surrender before the court below and pray for regular bail and on his so surrendering the court below will consider the same on its own merit without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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