

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57308 of 2018

Arising Out of PS. Case No.-149 Year-2018 Thana- FATUA District- Patna

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1. Bhural Ram @ Bhural, Son of Late Ganauri Ram
 2. Munna Ram @ Mannu @ Mannu Son of Late Bijender Ram
 3. Chotu Ram @ Chotu Son of Late Bijender Ram
 4. Laddu Ram @ Laddu Son of Late Bijender Ram, All are resident of Village - Daulatpur Varid Khurd, Makdumpur, Kodariya, Police Station - Fatua, District - Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Neerad Parashar, Advocate
For the Opposite Party/s : Mr. A.M. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 01-02-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Fatua P.S. Case no. 149 of 2018, registered under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

The accusation is that on 17.03.2018, informant Dinesh Ram arranged Panchayati to solve the land dispute in between Bhural Ram and Vijendra Ram during the course of Panchayati, Rakesh Ram started scuffle with Dhiraj Ram then informant intervened. Thereafter, both started scuffle with the informant and also called their other family members.



Thereafter, six others named in the F.I.R. reached and started causing injury to the informant. On hulla, Saroj Devi, daughter in law of the informant and Mantu Kumar rushed there then they were also assaulted. At that time, Rakesh Ram snatched ear ring of the daughter-in-law of the informant.

Learned counsel for the petitioner submits that while petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioner nor any witness has stated about specific role of the petitioners. Further submission is that co-accused Rakesh Ram has already been allowed privilege of pre-arrest bail vide Criminal Miscellaneous No. 38120 of 2018 on 06.07.2018.

On the other hand, learned A.P.P. opposed the prayer for bail of the petitioner, but conceded that no specific role has been assigned against the petitioner in the F.I.R. and case diary, which is up to paragraph No. 85.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st



Class, Patna City, Patna in connection with Fatua P.S. Case No.
149 of 2018, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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