

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53487 of 2019

Arising Out of PS. Case No.-346 Year-2017 Thana- JOGAPATTI District- West Champaran

1. DHAMU RAM @ VIRENDRA RAM Son of Narayan Ram Resident of Village- Chorahi, P.S.- Yogapatti, District- West Champaran.
2. Kanhai Ram @ Kanhaiya Ram Son of Narayan Ram Resident of Village- Chorahi, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Yogapatti P.S. Case No. 346 of 2017 registered for the offence punishable under Sections 147, 148, 149, 452, 341, 323, 342, 302 and 506 of the Indian Penal Code.

Informant who is the father of deceased in his written complaint has alleged that daughter of his neighbour Narayan Ram, namely, Rinki Kumari had have affair with son of the informant (Gulshan Ram) and both of them had fled away and on social pressure they returned back and thereafter Narayan Ram and his family members always threatened to kill



his son. It is further alleged that on 16.09.2017 son of the informant was sleeping on the Machan outside the house when FIR named accused came and took him to his house and brutally assaulted, as a result of which he died.

It has been submitted on behalf of petitioners that only one injury has been found on the head of the deceased which has been proved to be fatal and remaining injuries are simple in nature. All 13 family members have been made accused in this case. Petitioners have no criminal antecedent and petitioner No. 1 is in custody since 02.11.2018 and petitioner No. 2 is in custody since 24.02.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 346 of 2017 subject to the conditions that:-

(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 their absence on two consecutive dates without proper and sufficient



reason the trial court will be at liberty to cancel their bail bond.

(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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