

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59968 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- GOPALGANJ TOWN District- Gopalganj

1. Phagu Ram, S/o Mukhi Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj
2. Rabindra Ram S/o Mukhi Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj
3. Chhathu Ram S/o Vishwanath Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj
4. Upendra Ram @ Upendra Kumar S/o Mukhi Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj
5. Rambelash Ram @ Rambilash Ram S/o Doma Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj
6. Govind Ram S/o Dukhi Ram R/o village- Harpur, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amit Kumar Rakesh
For the Opposite Party/s :	Mr. Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Gopalganj Town P.S. Case no. 28 of 2019, registered under Sections 447, 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that eight persons named in the F.I.R. including the petitioners variously armed with weapons came at the door of the informant Ramayan Ram and Phagu



Ram (Petitioner No.1) caused injury at the head of informant through sword, when Bindu Devi and Manoj Ram, wife and son of informant, rushed to save the informant then Ravindra Ram (Petitioner No.2), Chhathu Ram (Petitioner No.3), Upendra Ram (Petitioner No.4) Rambilash Ram (Petitioner No.5), Gobind Ram (Petitioner No.6) gave iron rod blow at the head of wife of informant. At that time, Chhathu Ram (petitioner No.3) gave axe blow at the head of Manoj Ram, son of informant. At that time, all entered in the house of informant and took a briefcase containing golden ornaments worth of Rs. One Lakh and cash of Rs.20,000/-.

Learned counsel for the petitioner submits that petitioners are innocent and they have falsely been implicated in this case due to grudge and enmity.

Having regard to the facts and circumstances of the case, let the petitioner Nos. 4, 5 and 6, namely, Upendra Ram @ Upendra Kumar, Rambelash Ram @ Rambilash Ram and Govind Ram, 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 Chief Judicial Magistrate, Gopalganj in



connection with Gopalganj Town P.S. Case No. 28 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as prayer for pre-arrest bail of petitioner Nos. 1, 2 and 3, namely, Phagu Ram, Rabindra Ram and Chhathu Ram are concerned, considering the facts and circumstances of the case and the nature of allegation against the aforesaid petitioners, I am not inclined to grant anticipatory bail to the petitioner Nos. 1, 2 and 3, namely, Phagu Ram, Rabindra Ram and Chhathu Ram. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioner Nos. 1, 2 and 3, namely, Phagu Ram, Rabindra Ram and Chhathu Ram are directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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