

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63454 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- VIJAYEPUR District- Gopalganj

Rajesh Ram, male, aged about 38 years, Son of Ganga Ram, Resident of Village-Pagara Bazar, P.S.-Bijayipur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-11-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks regular bail in connection with Vijayipur P.S. Case No. 156 of 2018 registered under sections 307 and 302/34 of IPC.

The allegation against the petitioner, as per the first information report, is that on the date of occurrence informant along with her husband Ranjeet Ram @ Bablu Ram and brother-in-law (Devar) had gone to the market and the daughter of the informant was alone at home and when brother-in-law (Devar) of informant came to the house and found that the relative of the informant were trying to outrage the modesty of the daughter of the informant. On which brother-in-law (Devar) of the informant opposed and obstructed them, then the petitioner along with three



unknown persons arrived with arms in their hands and assaulted the husband and brother-in-law (Devar) leading to the death of the husband of the informant subsequently.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of the fact that he happens to be the brother-in-law of Chotu Ram who allegedly tried to outrage the modesty of the daughter of the informant. Learned counsel further submits that no specific allegation of assault is there against the petitioner and the allegation against the petitioner and other co-accused persons are general and omnibus in nature. Learned counsel referring to Annexure-2 submits that similarly situated accused person Rampal Ram has been granted regular bail by this Court in Criminal Miscellaneous No. 20093 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that similarly situated accused person has been granted bail by this Court in Criminal Miscellaneous No. 20093 of 2019, therefore, I am inclined to grant regular bail to the petitioner, subject to the conditions:

(1). Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner 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 petitioner.

Accordingly, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-VIII, Gopalganj in connection with Vijayipur P.S. Case No. 156 of 2018.

(Anil Kumar Sinha, J)

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