

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66672 of 2019

Arising Out of PS. Case No.-193 Year-2019 Thana- BARAULI District- Gopalganj

SHAMBHU RAM @SHAMBHU SHARMA Son of Late Mahesh Ram
Resident of Village - Madanpur, P.S.- Barauli, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-10-2019 Heard both sides.

The petitioner apprehends his arrest in Barauli P.S.
Case No.193 of 2019 registered under Sections 341, 323, 436,
506 and 34 of the Indian Penal Code.

The informant Gita Devi alleged that on 04.06.2019 at
about 12:00 in the night, Shambhu Ram was setting fire in her
hut and rest accused were standing there. When the informant
raised alarm, Subhash Ram and Chandeshwar Ram caught her
and Ram Pravesh Ram and Sarvesh Ram assaulted her. Her
husband Mehgu Ram was also assaulted by the accused persons.

Learned counsel for the petitioner submits that on
15.05.2019 some quarrel took place between the sons of the
informant and the son of Subhash Ram. Santosh Ram and
Ashok Ram (sons of informant) took Ram Pukar Ram (son of



Subhash Ram) to a bridge and pushed him down from the bridge. Ram Pukar Ram received grievous injury and Ram Pukar died in PMCH on 16.05.2019 during course of treatment. It is further submitted that no occurrence as alleged by the informant took place and the case has been lodged only because the sons of informant are accused in killing Ram Pukar Ram. The occurrence is said to have taken place on 04.06.2019 but the F.I.R. was lodged after three days of the occurrence and there is no justification for lodging F.I.R. after three days of the occurrence. It appears from the facts itself that Santosh Ram and Ashok Ram both sons of Gita Devi (informant) are alleged to have taken Ram Pukar Ram to a bridge and pushed him down from the bridge in which Ram Pukar Ram sustained grievous injury. It appears that the occurrence took place on 04.06.2019 but the F.I.R. was lodged after three days of the occurrence.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with



Barauli P.S. Case No.193 of 2019, subject to the conditions as
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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