

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77375 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- RAMGARH District- Kaimur (Bhabua)

1. VINOD RAM Son of Sudarshan Ram Resident of Village- Devhaliya, P.S.- Ramgarh, District- Kaimur at Bhabua.
2. Satyendra Ram Son of Sudarshan Ram Resident of Village- Devhaliya, P.S.- Ramgarh, District- Kaimur at Bhabua.
3. Ravindra Ram Son of Sudarshan Ram Resident of Village- Devhaliya, P.S.- Ramgarh, District- Kaimur at Bhabua.
4. Sudarshan Ram Son of Late Rupa Ram Resident of Village- Devhaliya, P.S.- Ramgarh, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ramgarh P.S. Case No.181 of 2019/Registration No.1697 of 2019 registered under Sections 341, 323, 325, 307 and 506/34 of the Indian Penal Code.

The accusation is that in the morning of 29.07.2019, the husband of the informant proceeded from his house to go to the school. In the way, the petitioners attacked at the husband of the informant. At that time, the petitioner no.4,



namely, Sudarshan Ram, ordered the other petitioners to kill the husband of the informant upon which the petitioner no.1, namely, Vinod Ram, assaulted the husband of the informant through danda on his head, causing cut injury on his head and the petitioner nos.2 and 3 also caused assault to the husband of the informant due to which he sustained cut injury on his both palms. The labourers, who were doing the work in the neighbouring filed, came and saved the life of the husband of the informant. The cause of occurrence is that the petitioner no.1 along with other petitioners have wrongfully possessed the share of the house of the elder brother of the husband of the informant since 2014 and the husband of the informant used to do the pairvi in the case and the said case has been decided in her favour.

Learned counsel for the petitioners submits that the specific allegation of causing injury at the head of the husband of the informant is against the petitioner no.1, namely, Vinod Ram, whereas there is general and omnibus allegation against the remaining petitioners to cause injury to the husband of the informant.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner



no.1, namely, Vinod Ram, I am not inclined to grant anticipatory bail to the petitioner no.1, namely, Vinod Ram. Accordingly, the prayer of the petitioner no.1, namely, Vinod Ram, for grant of anticipatory bail stands rejected. However, the petitioner no.1, namely, Vinod Ram, is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

So far as the petitioner nos.2 to 4, above named, are concerned, let the petitioner nos.2 to 4, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Kaimur at Bhabua, in connection with Ramgarh P.S. Case No.181 of 2019/Reg. No.1697 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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