

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9401 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- SAHEBPUR KAMAL District- Begusarai

1. GORELAL RAM @ GORAKH RAM, Son of Late Ram Chandra Ram,
2. Sudhir Ram @ Sudhir Kumar, Son of Mahesh Ram,
All Residents of Village - Naya Tola, Sahebpur Kamal, P.S.- Sahebpur
Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.
For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-06-2020 This case has been heard through Video
Conferencing.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 307, 302 /323 of the Indian Penal Code.

Prosecution case in brief is that on 23.03.2019 at 12
'o' clock the husband of the informant namely Batoran
Chaudhary who was the driver of the Block Development
Officer who standing near the motor vehicle of the B.D.O. That
time suddenly accused persons named in the written information
report who were 17 in number surrounded him. Out of them
namely; Anil Ram, Ram Babu Ram, Vinod Ram, Amarjit Ram



@ Karelal Ram caught him hold and wife of accused Shivdani Ram handed over axe to Shivdani Ram. In the meantime, accused Ramdeo Singh, Bahadur Ram, Ravish Ram ordered to kill her husband Batoran Chaudhary. On this point, accused Shivdani Ram gave axe blow on his head by which her husband fell on the ground. Thereafter, other accused persons caught hold to the niece of the informant and started assaulting him. Accused Pankaj Ram and Sudhir Ram (petitioner no.2) assaulted him by means of iron rod on his head. Further, accused persons also assaulted her husband by which her husband died on spot and other injured Shivji Chaudhary sustained grievous injury.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence. The petitioners have been falsely implicated due to previous enmity and land dispute. That there is no specific allegation attributed against the petitioners rather there is general and omnibus allegation. The petitioners have no criminal antecedent.

Learned counsel for the petitioners further submits that the other co-accused have been granted anticipatory bail by the Co-ordinate Benches of this Court vide order dated 18.11.2019 passed in Cr. Misc. No.80489 of 2019 (co-accused



namely Bipin Ram @ Vipin Ram) and order dated 08.01.2020 in Cr. Misc. No.1474 of 2020 (co-accused namely Pankaj Ram @ Pankaj Kumar).

Learned APP for the State opposes the prayer for bail petition and submits that there is specific allegation against the accused namely Pankaj Ram and Sudhir Ram (petitioner no.2) assaulted the victim by means of iron rod on his head.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 79 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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