

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12171 of 2020

Arising Out of PS. Case No.-101 Year-2019 Thana- DARPA District- East Champaran

Inardeo Ram @ Inadradev Ram @ Indradev Ram S/o Late Mahesh Ram
Resident of Village- Darpa Tola Pipra, P.S.- Darpa, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-07-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Darpa P.S. Case No. 101 of 2019 registered under sections 342, 114, 302, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R, it is stated by the informant that while she was going on a motorcycle with her husband twelve named accused persons including the petitioner herein surrounded their motorcycle. It is further stated that on the orders of Jagdish Mahto, the petitioner pushed the informant and thereafter Ramesh Prasad and Deepak Kumar shot at her husband and killed him. It is submitted by learned counsel for



the petitioner that from the F.I.R. itself no overt act has been alleged against the petitioner. The allegation of firing is specifically on Ramesh Prasad and Dipak Kumar. It is further submitted that co-accused Hira Lal Prasad, Balmiki Prasad, Pradeep Prasad Ragho Prasad, Janak Prasad and Radheshyam Prasad have been enlarged on anticipatory bail vide order dated 2.3.2020 passed in Cr.Misc. No. 9374 of 2020 taking into consideration that the allegation of firing was on Kameshwar Prasad and Deepak Kumar. It is submitted that the case of the petitioner also stands on a similar footing to the other co-accused having been granted bail. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State as also learned counsel for the informant who submits that so far as this petitioner is concerned, there is specific allegation that he pushed the informant to the ground and thus participated in the occurrence.

Having heard learned counsel for the parties and in the facts and circumstances of the case together with grant of bail to the other co-accused as mentioned hereinabove, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



eight weeks from today and in the event of his arrest or surrender in connection with Darpa P.S. Case No. 101 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxual, East Champaran at Motihari, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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