

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14635 of 2020

Arising Out of PS. Case No.-447 Year-2019 Thana- AKBARPUR District- Nawada

1. KAMLESH RAM @ KAMLESH KUMAR Son of Naresh Ram Resident of Village-Asma, P.S.-Akbarpur, District-Nawada.
2. Manoj Ram Son of Lakhan Ram Resident of Village-Asma, P.S.-Akbarpur, District-Nawada.
3. Dharmendra Ram Son of Balak Ram Resident of Village-Asma, P.S.-Akbarpur, District-Nawada.
4. Hari Ram Son of Banshi Ram Resident of Village-Asma, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Adv.
For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-09-2020 Heard the learned counsel for the petitioners and Sri Nagendra Prasad, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Akbarpur P.S. Case No. 447 of 2019 registered for the offence punishable under Sections 307, 323, 325 and 341 of the Indian Penal Code.

The case of the prosecution in brief is that the informant is stated to have been assaulted by one Karu Ram in her abdomen resulting in her falling



down, whereafter she was admitted to the hospital and it transpired that her child in the womb had died on account of the assault on her abdomen by the said Karu Ram. It is further alleged that the other accused persons i.e. the petitioners herein had also assaulted the family members of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that if at all any serious allegations have been levelled regarding the commission of the crime in question, the same is against the co-accused person, namely, Karu Ram, hence, the petitioners are entitled to be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking



into account the materials available in the case diary, prima facie, it appears that the main accused is Karu Ram, who is stated to have assaulted the informant resulting in her child in the womb having died, however, as far as the petitioners are concerned, a general and omnibus allegation has been levelled and the injuries sustained by the persons said to be injured on account of the assault qua the petitioners herein, do not seem to be very serious in nature, hence, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners is directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Nawada in connection with Akbarpur P.S. Case No. 447 of 2019, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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