

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59455 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- PAHARPUR District- East Champaran

1. Vinod Ram Son of Jagat Ram Resident of Village - Kotwa, P.S.- Paharpur, Distt - East Champaran.
2. Ravi Ram Son of Vinod Ram Resident of Village - Kotwa, P.S.- Paharpur, Distt - East Champaran.
3. Sagar Kumar Son of Vinod Ram Resident of Village - Kotwa, P.S.- Paharpur, Distt - East Champaran.
4. Ranju Devi Wife of Manoj Kumar @ Hira Ram Resident of Village - Kotwa, P.S.- Paharpur, Distt - East Champaran.
5. Dilip Kumar Son of Lakshuman Ram Resident of Village - Dhawani P.S.- Harsidhi, Distt - East Champaran.
6. Vikash Kumar Son of Lakshuman Ram Resident of Village - Dhawani P.S.- Harsidhi, Distt - East Champaran.
7. Lakshuman Ram Son of Bilash Ram Resident of Village - Dhawani P.S.- Harsidhi, Distt - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate Rashmi Jha, Advocate
For the State	:	Mr. Arun Kumar Singh, Addl Public Prosecutor
for the informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-02-2020 Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 307/379/34 and other allied sections of the Indian Penal Code.

It is alleged that the petitioners, on account of some dispute over partition of the house, assaulted the informant, his wife and son by iron rod and bamboo fatha. Petitioners looted away some cash and ornaments from the informant's house.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to some dispute over partition of the house and in fact petitioner no.1 and the informant are full brothers and petitioner nos. 2 to 4 are own family members of petitioner no.1. There is a case and



counter case. From the injury report it appears that the victim Sangita Devi sustained simple injury. Learned counsel further submits that no case under sections 307/379 IPC is made out, whereas other sections are bailable. Petitioners have got no criminal antecedent.

Learned counsel for the informant opposes the prayer for bail.

Considering the facts of the case, let all the seven petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Paharpur Police Station Case No. 132 of 2019/GR No. 2825 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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