

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18387 of 2021**

Arising Out of PS. Case No.-469 Year-2019 Thana- RANIGANJ District- Araria

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LAXMAN HEMBRAM Son of Late Patwar Hembram Resident of Village-
Majhua West, Mahadeo Pur, Gopal Tola, Ward No.-8, P.S.-Raniganj, District-
Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Jai Narayan Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Raniganj P.S.
Case No.469 of 2019 registered for the offence punishable
under Sections 147, 148, 149, 341, 323, 452, 307, 302 of the
Indian Penal Code.

The prosecution case in short is that the FIR named
accused persons including petitioner due to previous land



dispute came into courtyard of informant forming an unlawful assembly equipped with deadly weapons and assaulted the informant's brother (Deceased) and his wife by blow of lathi, danda in furtherance to common object of them to take the life of injured who died during treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case merely on suspicion and family grudge. No incriminating article has been recovered from the conscious physical possession of the petitioner. It is further submitted that there is general and omnibus allegation against the petitioner and no specific overt act has been alleged against the petitioner. Similarly situated co-accused persons have been granted bail vide order dated 02.07.2021 passed in Cr. Misc. No.17876 of 2021. The petitioner has no criminal antecedent and has been languishing in custody since 04.01.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since no specific overt act alleged against the petitioner, the above named petitioner is directed to be enlarged on bail on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Araria, in connection with Raniganj P.S. Case No.469 of 2019.

(Anjani Kumar Sharan, J)

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