

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24247 of 2021**

Arising Out of PS. Case No.-376 Year-2020 Thana- RAMNAGAR District- West Champaran

1. JHUNNU RAM @ JHUNI RAM SON OF RAMBACHAN RAM R/O VILLAGE- NAVGAWA, P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN.
2. BHUAR RAM @ BIRENDRA RAM SON OF RAMBACHAN RAM R/O VILLAGE- NAVGAWA, P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar  
For the Opposite Party/s : Mr.Bishweshwar Ram

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

2      16-08-2021      Heard learned counsel for the petitioners and learned APP  
for the State through virtual court proceeding.

The petitioners seek bail in connection with Ramnagar P.S. Case No.376 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 338, 302 of the Indian Penal Code.

The allegation against the petitioners is that they alongwith other co-accused persons have assaulted the informant and his family members due to which son of the informant died in course of treatment.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to enmity. There is no specific overt act against the petitioners rather the allegations are general and omnibus in nature. The allegation is against ten accused persons who have pelted the bricks etc. upon the informant side in which the son of informant (deceased) had received only one head injury which caused fatal wound during treatment but there is no other injury upon his body which also suggests that as to who is author of the injury. No any witness has come forward with any specific allegation against the petitioners but when the independent witnesses were examined, it has been found that the informant's side is the aggressor of the said altercation. Similarly situated co-accused persons namely Rambachan Ram and Pintu Ram have been granted bail vide Cr. Misc. No.18484 of 2021 dated 06.08.2021 by this Court. The petitioners have no criminal antecedent and have been languishing in custody since 05.11.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since there is general and omnibus allegation against the petitioners, the petitioners, named above are directed to be



enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below, where the case is pending/ successor Court, in connection with Ramnagar P.S. Case No.376 of 2020, subject to the following conditions:

(1) One of the bailors of each petitioners will be own close relative of the petitioners who will give on affidavit genealogy as to how they are related to petitioners. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(2) The bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioners shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.



(4) The petitioners shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

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