

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31699 of 2021

Arising Out of PS. Case No.-275 Year-2019 Thana- BHARGAMA District- Araria

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Dularchand Ram @ Kulo Ram Son of Parmeshwar Ram Resident of Village -
Haripur Kala, P.S.- Bhargama, District - Araria, Bihar- 854311.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 26-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bhargama P.S. Case No. 275 of 2019, registered for the offence under Section 302 / 34 of the Indian Penal Code.

As per the prosecution case, on 26.11.2019, on being informed by the police about recovery of dead body of her son, the informant went there and came to know that this petitioner alongwith other FIR named accused persons assaulted her son on account of which, he died.

It is submitted on behalf of petitioner that the accusation is omnibus and general and informant is not the eye-



witness to the occurrence. The name of the petitioner has come on the statement of co-accused Rekha Devi, who has already been granted bail by this Court, vide order dated 29.02.2020 passed in Cr.Misc. No. 10847 of 2020. Other similarly situated co-accused have also been granted bail by this Court, vide orders annexed as Annexure-P/2 (series) to the petition. Petitioner has got clean antecedent and he is in custody since 02.09.2020. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 275 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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