

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35042 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- KUTUMBA District- Aurangabad

Ramdeo Ram S/o Ram Sundar Ram Resident of Village-Samda (Ibrahimpur),
P.S.-Kutumba, District-Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kutumba P.S. Case No. 133 of 2020, registered for the offence under Sections 147/148/149/302/506 of the Indian Penal Code and Section 3 of Prevention of Witch Practices Act.

As per the prosecution case, petitioner alongwith other accused persons, seventeen in numbers, had threatened Jagdish Ram (deceased) on 10.08.2020 of dire consequences and subsequently, on the date of occurrence i.e. on 13.08.2020, all the accused persons caught hold of the deceased and assaulted him. It is further alleged that co-accused namely Uday Ram, Vinit Ram, Sudama Ram and Ravindra Ram assaulted the father-in-law of the informant by means of *Garasa* and *Tangi*, due to which, he died.



It is submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. Altogether 17 accused persons have been named in the FIR. No specific allegation has been attributed against this petitioner and specific allegation of assault is against other co-accused persons, as per FIR itself. Similarly situated co-accused namely Lalita Devi and Manorma Devi have already been granted bail by this Court, vide order dated 19.03.2021 passed in Cr.Misc. No. 3858/2021 and order dated 17.04.2021 passed in Cr.Misc. No. 7971/2021 respectively. Petitioner is in custody since 04.01.2021.

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 C.J.M., Aurangabad in connection with Kutumba P.S. Case No. 133 of 2020, 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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