

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27933 of 2020

Arising Out of PS. Case No.-135 Year-2019 Thana- SAKRA District- Muzaffarpur

1. Ravindra Ram, S/O Laxmi Ram, R/O Village - Jagdishpur, Baghnari, P.S. - Sakra, District - Muzaffarpur.
2. Ramchandra Ram, Son of Laxmi Ram, R/O Village - Jagdishpur, Baghnari, P.S. - Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate.

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-02-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sakra P.S. Case No. 135 of 2019, registered under Sections 302 and 120B/34 of the Indian Penal Code, pending in the court of Additional Chief Judicial Magistrate-IV, Muzaffarpur.

The accusation is that on 21.03.2019, at about 3 P.M., Ramchandra Ram (petitioner no.2) came at the door of the



informant, Kabutri Devi, and started to abuse then her husband, Rameshwar Manjhi, made protest. Thereafter, again at about 6 P.M., both petitioners, Ravindra Ram and Ramchandra Ram having iron rod and Farsa came with intention to kill started to cause assault. At that time, Ramchandra Ram (petitioner no.2) caused injury at the forehead of her husband, Rameshwar Manjhi, and Rabindra Ram (petitioner no.1) also caused injury to her husband through iron rod. When Guriya Devi, daughter-in-law of informant reached to save then Ram Lakhan Ram started to cause assault through Hasuli. On raising alarm, when Pradeep Manjhi and Ashok Manjhi came then Akhelesh Ram and Raju Ram having bricks in their hand came there and started to cause assault to her husband. While her Rameshwar Majhi, was rushed to Government Hospital, Sakar but her husband was referred to PMCH, Patna for better treatment, where he died in course of treatment.

Learned counsel for the petitioner submits that while occurrence is of 21.03.2019 but the FIR has been lodged on 29.03.2019 after eight days, which creates serious doubt about genuineness of story as detailed in the FIR.

Having regard to the facts and circumstances of the case and specific allegation against the petitioners to cause



injuries to the deceased, husband of the informant, I am not inclined to grant anticipatory bail to the petitioners, accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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