

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38591 of 2021

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

1. SATYENDRA RAM Son of Lohari Ram Resident of Village- Samda Ibrahimpur, P.S.- Kutumba, District- Aurangabad.
2. Suresh Ram Son of Lohari Ram Resident of Village- Samda Ibrahimpur, P.S.- Kutumba, District- Aurangabad.
3. Surendra Ram Son of Lohari 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. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-10-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 147, 148, 149, 302, 506 of the Indian Penal Code and u/s 3 of Prevention of Witch Practices Act.

As per the prosecution case, petitioners along with 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. 13.08.2020, all the accused persons caught hold of the deceased and assaulted



him. It is further alleged that co-accused, 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.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is submitted that there is general and omnibus allegation against this petitioner and specific allegation of assault is against co-accused, Uday Ram, Binit Ram, Sudama Ram and Ravindra Ram. Similarly situated accused Ramdeo Ram has already been granted bail by this court vide order dated 09.09.2021 passed in Cr. Misc. No. 35042/2021. Petitioners claim clean antecedent and are in custody since 27.03.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, 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 Additional Sessions Judge-XII, Aurangabad in connection with Kutumba PS case No. 133/2020 on the following conditions:-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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