

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39607 of 2020

Arising Out of PS. Case No.-627 Year-2019 Thana- MAJHAULIA District- West Champaran

Dhuri Ram @ Dhurendra Ram son of Late Shivavalak Ram @ Shiv Balak
Ram Resident of Ward No. 14, Majhauria, Bahuarwa, PS Majhauria, Dist.
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ritesh Kumar, Advocate
For the State	:	Ms. Pushpa Sinha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Majhauria PS Case No.627 of 2019 instituted for the offence under Sections 427 and 436/34 of the Indian Penal Code.

Informant has alleged in her written complaint that on 19.12.2019 at about 3:00 AM when she heard the screaming of her cow, she went out from her house and saw that three cows, some firewood and six quintal of paddy kept in gunny bag was



in flame. It is further alleged that petitioner and other co-accused Virendra Ram, Sikandra Ram and Deepak Kumar were also present there and petitioner was holding a matchbox in his hand and co-accuseds Virendra Ram, Sikandra Ram were holding a gallon and when she started shouting co-accused Deepak Kumar thrashed her, due to which she fell down and thereafter they fled away. It is further alleged that due to fire two cows died at the place of occurrence and she also suffered loss of Rs. 1 lakh.

It has been submitted on behalf of petitioner that he is innocent. He has been falsely implicated in this case by the informant to put pressure on his brother, namely, Sikandra Ram @ Sikandar Ram to withdraw Majhauria P.S. Case No. 550 of 2019 which was lodged by daughter of petitioner's brother against the son of informant. Petitioner has no criminal antecedents and he is in custody since 04.08.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, 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 the learned Sub Divisional Judicial



Magistrate Bettiah, West Champaran, in connection with GR No 5031 of 2019 arising out of Majhaulia PS Case No.627 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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