

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37295 of 2020

Arising Out of PS. Case No.-304 Year-2020 Thana- RIVILGANJ District- Saran

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1. NAGENDRA RAM S/o Shivjee Ram R/o village- Kachnar, P.S.- Rivilganj, District- Saran at Chapra
 2. PRAMOD RAM S/o Bharat Ram R/o village- Kachnar, P.S.- Rivilganj, District- Saran at Chapra
 3. PIYUSH RAM S/o Bharat Ram R/o village- Kachnar, P.S.- Rivilganj, District- Saran at Chapra

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 19.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Rivilganj P.S. Case no. 304 of 2020, registered under Sections 147, 148, 341, 321, 324, 307, 379, 385, 504 and 506 of the Indian Penal Code.

The accusation is that on 15.08.2020, at about 4.00



P.M. Umesh Ram, husband of Gita Devi, was present adjacent to his door in connection with repair work of the well, at that time, Nagendra Ram (Petitioner No.1), Rajbanshi Ram, Pramod Ram (Petitioner No.2), Binod Ram, Krishna Ram and Vivek Kumar Ram came there having Farsa, Rod, Lathi-Danda in their hands and started to abuse and made query about Umesh Ram, husband of the informant. In the meantime, husband of informant came there and made query about search then Nagendra Ram and Binod Ram made demand of ransom for doing the work of repairing work of well. When Umesh Ram, husband of informant, made protest then Rajbanshi Ram ordered to kill on which Nagendra Ram gave Farsa blow at the head of Umesh Ram, husband of informant. At that time, Vivek Kumar snatched cash of Rs. 15000/- from the pocket of the husband of informant. On raising alarm, villagers rushed there and they moved from there. Thereafter, husband of informant rushed to Government hospital, Rivilganj for treatment. On 16.08.2020, at about 5.00 A.M., Umesh Ram, husband of informant had gone to attend call of nature at Government lavatory situated at the dam then the aforesaid persons along with Rahul Kumar, Piyush Ram (Petitioner No.3) and Bharat Ram started to cause assault to husband of informant as a result, he sustained injury and he was rushed to P.H.C.,



Rivilganj for treatment.

Learned counsel for the petitioners submits that, in fact, Umesh Ram, husband of informant, is Mukhiya of the village and he was indulged in repairing work of well using substandard materials then objection was made due to that reasons only to give pressure, the present case has been lodged. Moreover, while it is alleged that informant was assaulted by the accused persons, but only two injuries i.e. swelling on left wrist and bruise on upper eyebrow were found, which is simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Smt. Ruby Kumari, Judicial Magistrate, 1st Class, Saran at Chapra in connection with Rivilganj P.S. Case No. 304 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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