

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1496 of 2021**

Arising Out of PS. Case No.-291 Year-2020 Thana- SASARAM NAGAR District- Rohtas

MANOJ RAM Son of Sankar Ram Resident of Village - Beladhi, Police  
Station- Darigaon, Distt.- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Rajendra Narayan, Advocate.  |
|                          | : | Mr. Sunil Kumar Singh, Advocate. |
| For the Opposite Party/s | : | Mr. Akbar Ali, APP               |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      25-05-2021                      Heard learned senior counsel Mr. Rajendra Narayan assisted by learned counsel Sunil Kumar Singh for the petitioner and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sasaram (Darigaon) P.S. Case No. 291 of 2020 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, informant Gangotri Devi has given her fardbeyan on 23.05.2020 at about 6.15 at Sadar Hospital, Sasaram that on 22.05.2020 informant's Dewar had beaten her pet dog by *lathi* and on asking reason for beating her dog Manoj Ram, Anil Ram and Shankar Ram started quarreling with her



husband and all of them having *lathi* in their hand assaulted by giving repeated *Lathi* blow on the head of her husband and abused him thereupon he fell down on earth and the accused persons run away while her husband died during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He is quite innocent and has been falsely implicated in this case due to some family dispute and for ulterior motives. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature and there is no specific overt act against the petitioner. There is case and counter case between the parties. The petitioner has no criminal antecedent as mentioned in Para 3 of the bail application and he is languishing in custody since 24.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, after framing of charge and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Sasaram (Darigaon) P.S. Case No. 291/2020.

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

