

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3978 of 2021

Arising Out of PS. Case No.-258 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. Ram Pujan Mushar (M), aged about 30 years, son of Late Nanhak Mushar
2. Ambika Mushar (M), aged about 35 years, son of Late Kishun Mushar
3. Manoj Mushar (M), aged about 23 years, son of Kashi Mushar @ Kashi Nath Mushar @ Kashinath Ram
4. Ganga Mushar (M), aged about 33 years, son of Late Sahatu Mushar
All residents of Village: Chhota Sasaram, P.S: Udwantnagar, District: Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-04-2021 Heard Mr. Vikram Deo Singh, learned counsel for the petitioners and Mrs. Akshay Lal Pandit, learned counsel appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 258 of 2019 registered for the offence under Section 302, 201 / 34 of the I.P.C.

The allegation as per the First Information Report is that the father of the informant was engaged in begging and on 01/07/2019 the petitioners along with other accused persons assaulted the father of informant and when the informant tried to



save his father the accused persons also tried to assault the informant but the informant somehow saved himself and fled away from the place of the occurrence. It has further been alleged petitioner no. 1 -Ram Pujan Mushar asked to cut the neck of the father of the informant and in the morning beheaded dead body of the father of the informant was found near the railway track.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and the father of the informant i.e. deceased has died due to train accident which would be evident from the opinion of the doctor who has opined that injury to the deceased has occurred due to running train. Learned counsel further submits that similarly situated accused persons have been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 76217 of 2019 dated 29.06.2020 and the petitioners are in custody since 24.09.2020 and 18.08.2020.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the nature of allegation and the fact that similarly situated accused persons have been granted bail by this Court, I am inclined to grant regular bail to the



petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur (Ara) in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 258 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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