

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6403 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- KOCHAS District- Rohtas

1. UMA RAM S/o Late Lakshmi Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.
2. Daya Shankar Ram @ Daya Ram S/O Late Laxmi Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.
3. Rishi Kumar Ram @ Rishi Ram S/O Ram Jivan Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.
4. Ashok Ram S/O Uma Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.
5. Ramdhani Ram S/O Late Mukharaj Ram @ Mukhlal Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.
6. Kameshwar Ram @ Kamesh Ram S/o Late Lakshmi Ram Resident of Village - Satasa, P.S. - Kochas, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of the petitioner Nos.2, 4, 5 and 6, as the petitioner Nos.2, 4, 5 and 6 have been



taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner Nos.2, 4, 5 and 6 is dismissed as withdrawn.

The petitioner Nos.1 and 3 are apprehending their arrest in connection with Kochas P.S. case No.97/2020 registered under Sections 147, 148, 149, 341, 323, 325, 307, 506 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner Nos.1 and 3 various armed with lathi and rod attacked and assaulted with intent to kill, as a result of which Bhikari Ram, Khakhanu Ram, Ajay Ram and Ganpat Ram sustained injuries and co-accused Gauri Ram assaulted Bhikari Ram, who sustained head injury.

It has been submitted on behalf of the petitioner Nos.1 and 3 that the petitioner Nos.1 and 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.1 and 3. The petitioner Nos.1 and 3 have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner Nos.1 and 3. No specific overt act is alleged against the petitioner Nos.1 and 3. Special allegation is alleged against the



co-accused Gauri Ram. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner Nos.1 and 3 are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case the petitioner Nos.1 and 3, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned A.C.J.M.-I, Rohtas at Sasaram in connection with Kochas P.S. case No.97/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner Nos.1 and 3 will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Narendra/-

(Sudhir Singh, J)

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