

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66896 of 2019

Arising Out of PS. Case No.-438 Year-2014 Thana- BIRAUL District- Darbhanga

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1. Dhanik Ram @ Dhanik Mochi, aged about 59 years, Male, son of Ram Saroop Ram, Resident of Village - Khanpur Belhar, P.S.- Shivaji Nagar, Distt - Samastipur.
 2. Sanjeet Ram, aged about 30 years, Male, son of Dhanik Ram, Resident of Village - Khanpur Belhar, P.S.- Shivajipur, Distt - Samastipur.
 3. Bhaju Ram, aged about 52 years, Male, son of Uchit Ram, Resident of Village - Ranna, P.S.- Hathaudi Distt - Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Pravashanker Mishra, Advocate
		Mr. Vasudeo Ram, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

11 23-12-2021

Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Biraul P.S. Case No. 438 of 2014 for the offence punishable under Section 302/34 of the Indian Penal Code.

Considered the submissions of learned counsel for the petitioners that the deceased was killed by her son as well as by the informant due to family feud and land dispute and also that prior to institution of the present case the informant had lodged a criminal case against co-accused Pawan Ram but after due investigation, the Police exonerated him and on this ground,



interim protection was granted to these petitioners.

This Court had directed for examining the call records of the petitioners but despite best efforts the call records could not be provided by the telecom company as it was quite old and records could not be preserved.

Considering the aforesaid facts as well as the conduct of the prosecution, this anticipatory bail application is allowed.

Let the petitioners, above named, in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Biraul, Darbhanga, in connection with Biraul P.S. Case No. 438 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is also subject to the condition that the petitioners shall co-operate in the trial as the chargesheet has already been submitted in this case.

(Sandeep Kumar, J)

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