

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7116 of 2022

Arising Out of PS. Case No.-218 Year-2008 Thana- AHİYAPUR District- Muzaffarpur

Shrawan Ram S/o- Late Maheshi Ram Resident of Village- Patiyasa, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case No. 218 of 2008 registered for the offence under
Sections 302, 120(B), 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.09.2021.

The allegation against the petitioner is to commit
murder of son of the informant due to previous enmities.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner has been implicated in this case due
to previous enmities. It has further been submitted that the



informant is not the eye witness of the occurrence. It has further been submitted that the investigation of this case is complete and nothing incriminating surfaced during the course of investigation against the petitioner, for which, the chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence. While concluding the argument, it has further been submitted that similarly situated co-accused, namely, Chandan Ram has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 57816 of 2021 dated 03.02.2022.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the informant is not the eye witness of the occurrence.

Considering the facts and circumstances as mentioned above, as the informant is not the eye witness of the occurrence coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Ahiyapur P.S. Case No. 218 of 2008 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Mina Devi, who is the mother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

