

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7314 of 2022

Arising Out of PS. Case No.-157 Year-2020 Thana- MAKER District- Saran

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Jagmohan Ram S/O Late Raj Kumar Ram R/o village- Chakiya, P.S.- Maker,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravinder Kumar, Advocate
Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, App

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Maker
P.S. Case No. 157 of 2020 instituted for the offences punishable
under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.11.2020, is a person with clean
antecedent and charge-sheet has been submitted in the case.

The prosecution case in short is that on 16.11.2020,
the informant was going to sleep in his hut and his step brother
Birendra Ram (deceased) was also sleeping in next to the hut of
the informant. At 01:00 am, informant's brother Jag Mohan
Ram (petitioner) came to home with two unknown persons. In



the morning, when the informant's mother went to wake up Birendra Ram, she found that he was dead. Someone had killed him with sharp object. There was cut on his head, neck and temples. Further, it is alleged that the petitioner's wife had extramarital affairs with the deceased.

Learned counsel for the petitioner submits that the date of occurrence was 16/17.11.2020 but the present F.I.R. was lodged on 19.11.2020 and there was no explanation regarding the delay. No incriminating articles were recovered from the possession of the petitioner. The petitioner has been made accused only on the basis of suspicion. Further, it is submitted that trial is going on and PW-1 (informant) has been examined by the Court below but it did not support the prosecution version.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 22.11.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 5th, Saran in



connection with Maker P.S. Case No. 157 of 2020.

(Khatim Reza, J)

Gaurav Kumar/-

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