

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12298 of 2022

Arising Out of PS. Case No.-306 Year-2021 Thana- RAXAUL District- East Champaran

1. NIRANJAN RAM Son of Late Gopal Ram, Resident of Village- Chhota Dumariya Tola, Ward No. 6, P.S.- Raxaul, Haraya O.P., District- East Champaran.
2. Manish Kumar Son of Niranjan Ram, Resident of Village- Chhota Dumariya Tola, Ward No. 6, P.S.- Raxaul, Haraya O.P., District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Raxaul Haraya P.S. Case No. 306 of 2021 lodged under Sections 302/34 of the Indian Penal Code.

The informant has disclosed in the F.I.R. that on the allegation of theft of mobile dated 15.07.2021, her husband was assaulted brutally by petitioners and one another through lathi, danda etc. Injured was admitted to hospital where he died on 30.07.2021.

Learned counsel for the petitioners submits that it transpires from the F.I.R. that the occurrence dated is

15.07.2021, F.I.R. was lodged on 30.07.2021 i.e. delay of 15 days. Learned counsel for the petitioners has also filed supplementary affidavit by which it transpires that there was no apparent mark of injury seen on the body of the deceased. Learned counsel for the petitioner further submits that it is true that the petitioner is named in the F.I.R. but it is also true that the general and omnibus allegation has been made upon three persons for assaulting the deceased. It has also been mentioned that the alleged occurrence occurred on 15.07.2021 and the present F.I.R. has been lodged after delay of 15 days but there is no explanation has been given by the informant. Learned counsel for the petitioners further submits that Petitioner no. 1 is in custody since 31.07.2021 and petitioner no.2 is in custody since 17.08.2021 and charge has already been framed in this case.

Learned A.P.P. has opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, East Champaran in connection with Raxaul Haraya P.S. Case No. 306 of 2021, subject to the

conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J.)

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