

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15093 of 2022**

Arising Out of PS. Case No.-93 Year-2021 Thana- SANGRAMPUR District- Munger

SATYENDRA RAM @ SATYENDRA KUMAR RAM @ SATYENDRA
PRASAD SINGH SON OF LATE CHHOBBU RAM R/O VILLAGE-
BALIYA, P.S.- SANGRAMPUR, DISTRICT- MUNGER.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26277 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- SANGRAMPUR District- Munger

KISHOR KUMAR RAM SON OF LATE MOFIL RAM R/O VILLAGE-
BALIYA, P.S.- SANGRAMPUR, DISTRICT- MUNGER.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15093 of 2022)

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Rajendra Nath Jha

(In CRIMINAL MISCELLANEOUS No. 26277 of 2022)

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

4 21-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with
Sangrampur P.S. Case No. 93/2021 registered for the offences
punishable under Sections 302/379/34 of the Indian Penal Code.

As per prosecution case, on 23.04.2021, the



petitioners and others were assaulted the informant's husband and he rescued with the help of the villagers. It is alleged that accused persons were also assaulted the informant on the head and chest. It is further alleged that the accused persons snatched Rs.7,000/- and mobile phone from the informant's husband. During course of treatment the informant's husband died.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to enmity and dirty village politics. Petitioner, Satyendra Ram @ Satyendra Kumar Ram @ Satyendra Prasad Singh is languishing in custody since 20.09.2021 and bears no criminal antecedent. Petitioner, Kishor Kumar Ram is languishing in custody since 23.02.2022 and bears no criminal antecedent. There is general and omnibus allegation against the petitioners. The occurrence took place on 22.04.2021 and FIR has been lodged on 27.04.2021 without explanation of delay. Learned counsel for the petitioners further submits that except the informant, there is no eye witness of the alleged occurrence. He further submits that on the alleged date of death of informant's husband, he was suffering from CORONA but due to enmity, FIR has been lodged only to harass the petitioners. Charge sheet has been submitted in this case and there is no



likelihood of tampering with the prosecution evidence. Co-accused, Rahul Kumar has been granted anticipatory bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 67668/2021 and the case of present petitioners stands on better footing as petitioners are in jail custody.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted anticipatory bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Munger in connection with Sangrampur P.S. Case No. 93/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioners shall not live the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(Alok Kumar Pandey, J)

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