

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39408 of 2021

Arising Out of PS. Case No.-765 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. LAXMAN RAM Son of Dasarath Ram Resident of Village - Barahuli, P.S.- Sonhan, District - Kaimur at Bhabua.
2. Anit Ram @ Jitan Ram @ Amit Ram Son of Laxman Ram Resident of Village - Barahuli, P.S.- Sonhan, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-01-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Bhabhua (Sonhan) Police Station Case No. 765 of 2020, registered for the offences punishable under Sections 147/148/149/323/324/307/302/504 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that seven accused persons named in the First Information Report, including the petitioners, having armed with lathi, danda, garasa etc., assaulted the informant, his uncle and other family members, as a result of which the uncle of the informant died during the course of treatment.



Learned Counsel for the petitioners submits that there is general and omnibus allegation against all the accused persons. He further submits that the scuffle between the parties had taken place on the point of grazing of goat in the field of the informant. He further submits that there is case and counter case between the parties inasmuch as for the occurrence which has taken place on the same date and time, co-accused Sant Ram has lodged Bhabhua (Sonhan) Police Station Case No. 766 of 2020. He further submits that co-accused persons, namely, Sant Ram and Sanjay Ram, have been granted bail by co-ordinate Bench of this Court, vide orders passed in Criminal Misc. Nos. 19147 and 31656 of 2021. He further submits that the petitioners are in custody since 03.12.2020 and charge sheet has been submitted against them and as such, there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that similarly situate co-accused persons have been granted bail by this Court, charge sheet has already been submitted and the petitioners are in custody since 03.12.2020, I am inclined to grant regular bail to the petitioners.



This application is, accordingly, allowed.

Let the petitioners, above named, 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 learned Chief Judicial Magistrate, Kaimur, at Bhabhua, in connection with Bhabhua (Sonhan) Police Station Case No. 765 of 2020.

This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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