

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42444 of 2021

Arising Out of PS. Case No.-100 Year-2017 Thana- MARAUNA District- Supaul

SHANKAR KUMAR RAM @ SHANKAR RAM S/o Ram Chandra Ram
Resident of Village- Dhabghat (kadmaha), P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate.
For the Opposite Party/s : Mr. Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 12-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Marauna P.S. Case No. 100 of 2017 for the offence punishable
under Sections 147, 148, 149, 341, 323, 326, 307, 302, 504 and
506 of the Indian Penal Code and Sections 3 and 4 of the Dayan
Act.

There is general and omnibus allegation against
eleven F.I.R. named accused persons to have assaulted the wife
and son of the informant alleging that she is a witch, as a result
of assault, the wife of the informant and son died subsequently.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the allegation levelled against the petitioner is general and omnibus. The petitioner has got no criminal antecedent and he is in custody since 25.10.2019. There is no allegation of tampering with the evidence or influencing the witnesses. Investigation of the case is complete now and the petitioner is ready to cooperate with the trial. Similarly situated some other co-accused namely Surait Ram, Mahindra Ram, Ram Babu Ram, Arbind Ram, Ramdeo Ram, Raja Ram, Basuki Ram and Hari Narayan Ram have already been granted bail by different co-ordinate Benches of this Court vide orders dated 14.03.2018, 12.04.2018, 29.06.2018, 11.09.2019 and 14.01.2020 passed in Cr. Misc. Nos. 2241 of 2018, 11037 of 2018, 37212 of 2018, 35943 of 2019 and 80615 of 2019 respectively.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner and similarly situated co-accused have been granted bail by different Benches of this Court, the petitioner, above named, is



directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Supaul in connection with Marauna P.S. Case No. 100 of 2017, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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