

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38279 of 2022

Arising Out of PS. Case No.-216 Year-2018 Thana- NOKHA District- Rohtas

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1. MANOJ RAM @ BUTTA RAM Son of Deonath Ram Resident of Village - Garura (Tola), P.S.- Agrer, District - Rohtas
 2. Kedar Ram Son of Dudh Nath Ram Resident of Village - Garura (Tola), P.S.- Agrer, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-11-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Nokha
P.S. Case No. 216 of 2018 registered for the offence under
Sections 363 and 34 of the Indian Penal Code and later on added
Sections 364, 302 and 201 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and
are in custody since 17.12.2021.

The allegation against the petitioners is to commit
murder of the brother of informant, along with other co-accused
persons, after calling him from home.



Learned counsel appearing on behalf of the petitioners submitted that petitioners have been falsely implicated in the present case, due to local disputes and differences. It is further submitted that name of the petitioners surfaced on the basis of confessional statement of Ram Pravesh Ram, where, in furtherance thereof, no incriminating material was recovered/surfaced, during course of investigation, which may connect these petitioners, *prima-facie* with the present set of occurrence. It is also submitted that similarly situated co-accused, namely, Sanjay Ram has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 4895 of 2019 dated 27.03.2019. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing incriminating material was recovered/surfaced during course of investigation to connect these petitioners, *prima-facie*, with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in



connection with Nokha P.S. Case No. 216 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-16, Rohtas at Sasaram/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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