

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48611 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- ARER District- Madhubani

1. SONU KUMAR @ SONU KUMAR RAM
2. Sumit Ram @ Sumit Kumar Ram
Both are sons of Shiv Nandan Ram Resident of Village - Navkarhi, P.S.-
Arer, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 307, 376 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, it is stated that the two petitioners herein entered into the house of the informant and misbehaved with the cousin sister of the informant. On the informant's cousin sister raising hulla, the other accused persons also reached there and brutally assaulted the informant and others. One cousin brother of the informant namely Shankar



Ram died in course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. There is case and counter case between the parties, the F.I.R. of the counter case having been brought on record as Annexure-3 to the petition. Referring to the statement of the cousin sister of the informant recorded under section 161 Cr.P.C., it is submitted that there is no allegation of misbehaviour by the petitioners. In fact, the dispute arose as a result of the informant's side playing music on a loud volume. The petitioners are in custody since 4.7.2020 and chargesheet has been submitted in the case. They have no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegation in the F.I.R., the material that has transpired in course of investigation, the case and counter case between the parties and the petitioners having remained in custody for 1 year 7 months, the Court directs the two petitioners to be enlarged on bail in connection with Arer P.S. Case no.72 of 2020/G.R. no.11 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional District and
Sessions Judge VII, Madhubani.

(Partha Sarthy, J)

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