

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56071 of 2021**

Arising Out of PS. Case No.-74 Year-2021 Thana- AKHODHIGOLA District-
Rohtas

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Birbal Ram Son Of Jagu Ram @ Late Jaglal Chaudhary Resident Of Village-
Musai Tola, P.S- Akorhigola, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 61033 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- AKHODHIGOLA District-
Rohtas

=====

SIBU RAM S/O LATE DADAN RAM R/o village- Musai Tola, P.S.-
Akorhigola, District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 56071 of 2021)

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the State : Mr. Bhanu Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 61033 of 2021)

For the Petitioner : Mr. Ashok Kumar Pandey, Advocate

For the State : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

3 06-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in a case registered for the



offences punishable under Sections 302, 324, 34 of the Indian Penal Code.

As per prosecution case, it is alleged by the informant Shakuntala Kunwar that on 06.07.2021 at about 11:00 A.M. while her husband was going to his house from Akorhigola Bazar then the petitioner and other accused persons confined him in the house of late Dadan Ram and assaulted him with iron rod and tied his hands and legs and also sprinkled the hot water on his body. Further alleged that when she went there then she saw the dead body of her husband.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness to the alleged occurrence and nothing has come against the petitioner during investigation. It also appears from the post mortem report that no external and internal injury was found and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.07.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Akorhigola P.S. Case No. 74 of 2021, with the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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