

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63425 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

HARI SHANKAR RAM S/o Loku Ram R/o Village- Fulli, P.S.- Kudra,
District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Chandra Mohan Jha
For the Opposite Party/s :	Mr. Kumar Veerendra Narayan
	Mr. Rajesh Kumar Pathak

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-04-2022

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for regular bail arises out of Kudra P.S. Case No. 13 of 2021, disclosing offence punishable under Section 302 and other allied Sections of the Indian Penal Code.

From the First Information Report and other materials on record there does not appear to be any doubt that land dispute is the reason behind the alleged occurrence. Ten persons, who have been named in the FIR including this petitioner, are said to have made the assault causing grievous injuries to one Ramlal Ram, who subsequently died. Other persons are also said to have received grievous injuries.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 16.07.2021.



He contends that apprehending breach of piece the persons who are named in the FIR had called the police and allegedly upon intervention of the police the parties had agreed to resolve their dispute. However, after the police left the place, the occurrence took place.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for bail and referring to the allegations made in the FIR he has submitted that each and every person named as accused in the FIR had made the assault and, as a matter of fact, the victims were chased by them and assaulted and, therefore, the petitioner does not deserve privilege of regular bail.

However, considering the fact that the petitioner is in custody since 16.07.2021 and there is no specific allegation against him of assault, a case for grant of regular bail is made out. This application is accordingly allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM-VI, Kaimur at Bhabua in Kudra P.S. Case No. 13 of 2021.

(Chakradhari Sharan Singh, J)

Rajesh/-

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