

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64466 of 2021**

Arising Out of PS. Case No.-199 Year-2020 Thana- BAHERI District- Darbhanga

1. Balram Ram S/o Umesh Ram R/o village- Baheri, P.S.- Baheri, District- Darbhanga
2. Krisna Ram S/o Umesh Ram R/o village- Baheri, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 28-06-2022 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 Baheri
P.S. Case No. 199 of 2020 registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and
are in custody since 06.07.2021.

The allegation against the petitioners is to commit
murder of brother of the informant, who is also brother-in-law
of the petitioners.

Learned counsel appearing on behalf of the petitioners



submitted that there is no specific allegation, as regard to assault, against the petitioners, who are brother-in-laws of the deceased. It has also been submitted that the death of the deceased caused due to accident of his motorcycle, cannot be ruled out and this fact has also been surfaced during the course of investigation and also supported by the sister, who is also the wife of the petitioner no.1, above named, through her statement recorded under Section 164 of Cr.P.C. It has further been submitted that the petitioners are persons having clean antecedent, moreover, the chargesheet has already been submitted in this case, as such, there is no chance of tampering of evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded the fact that allegation, as regard to assault, is not specific against the petitioners.

Considering the facts and circumstances as mentioned above, as the allegation, as regard to assault, is not specific against the petitioners rather allegation is limited to crowd causing collective assault coupled with the fact that chargesheet has already been submitted in this case, let the petitioners, above named, are directed to be released on bail in connection with



Baheri P.S. Case No. 199 of 2020 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 Chief Judicial Magistrate- VII, Darbhanga, subject to the following conditions:

“(i) Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioners, duly supported by the documents.

(ii) That one of the bailors shall be Puja Kumari, who is the wife of petitioner no.1 and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shashank/-

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