

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69625 of 2021

Arising Out of PS. Case No.-376 Year-2020 Thana- RAMNAGAR District- West Champaran

JHAPAS RAM @ ZAPAS RAM Son of Late Dhanai Ram Resident of
Village- Nawgawa, Police Station- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Tr. No. 2225 of 2021, arising out of Ram Nagar P.S.Case No. 376 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 338 and 302 of the Indian Penal Code.

The allegation against the all the accused persons including the petitioner herein is regarding them having assaulted the informant and his family members resulting in death of the son of the informant during the course of



treatment.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 5.11.2020. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against all the accused persons, numbering 10 in all, of having pelted bricks etc. upon the members of the prosecution party resulting in single head injury being inflicted upon the son of the informant, which in turn had caused his death during the course of the treatment, however, no other injury was found on the person of the son of the informant. The learned counsel for the petitioner has further submitted that several of the co-accused persons have either been granted regular bail or anticipatory bail and some of such orders being the ones dated 6.8.2021 and 23.9.2021 passed in Criminal Miscellaneous No. 18484 of 2021 and



Criminal Miscellaneous No. 15993 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted regular bail / anticipatory bail by coordinate Benches of this Court, apart from the fact that a general and omnibus allegation has been levelled against the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bagaha, District-West Champaran



in connection with Tr. No. 2225 of 2021, arising out
of Ram Nagar P.S.Case No. 376 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

