

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2838 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- SARMERA District- Nalanda

1. NITISH RAM Son of Ram Ratan Ram Resident of Village - Purani Isua, Police Station - Sarmera, District - Nalanda.
2. Ghanshyam Ram @ Kunal Ram Son of Ram Ratan Ram Resident of Village - Purani Isua, Police Station - Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, 13 FIR named accused persons, including these petitioners, possessing arms, came at the house of informant and made indiscriminate firing. It is further alleged that co-accused, Dabloo Ram shot dead the mother of informant.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that specific accusation is



against co-accused, Dabloo Ram, who shot dead the mother of informant. So far these petitioners are concerned, there is general and omnibus allegation against them. The materials collected during the course of investigation do not support the prosecution case as in the post mortem report only one injury was found on the person of deceased. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sarmera PS case No. 166/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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