

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7728 of 2023

Arising Out of PS. Case No.-150 Year-2020 Thana- MOHAMMADPUR District- Gopalganj

1. MANOJ RAM @ MANOJ KUMAR S/O BYAS RAM R/v- Majhwalia, P.S.- Mohammadpur, District- Gopalganj
2. BINAY RAM @ BINAY KUMAR S/O BYASH RAM R/v- Majhwalia, P.S.- Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard Mr. Umesh Kumar Singh, learned counsel for the petitioners and Mr. Akhileshwar Dayal, learned APP for the State .

Petitioners seek regular bail in connection with Mohammadpur P.S. Case No.150 of 2020 dated 17.7.2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 326,302, 447 and 504 of the Indian Penal Code.

The allegation as per the First Information Report is that the petitioners along with other accused, altogether 29 in numbers, arrived at the house of the informant, assaulted his brother and other family members due to which the brother of



the informant, namely, Santosh Ram died and other family members received injuries.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and there is a dispute between the parties with regard to grazing of goat in the field of the uncle of the informant, namely, Ramnath Ram. Learned counsel for the petitioners further submits that there is specific allegation against Krishna Ram who allegedly assaulted the brother of the informant Santosh Ram by means of *farsa* due to which he died on the spot and no overt-act has been alleged against the petitioners who have been made accused along with entire family members, i.e., 29 in numbers. Learned counsel next submits that there is case and counter case between the parties inasmuch as the co-accused Krishna Ram has lodged Mohammadpur P.S. Case No.151 of 2020 against the informant and others for an incident which has taken place on the same date and time.

Learned counsel next submits that the petitioners are in custody since 22.11.2022 and charge-sheet has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact



that no overt-act has been alleged against the petitioners, petitioners are in custody since 22.11.2022, charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the above named two petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Gopalganj in connection with Mohammadpur P.S. Case No.150 of 2020.

(Anil Kumar Sinha, J)

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