

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.14600 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- MAIRWAN District- Siwan

1. Mannu Ram @ Abhimanu Ram S/o Late Ram Kishun Ram R/o Village- Sewatapur, P.S.- Mairwa, Distt- Siwan.
2. Moti Ram S/o Rukhi Ram @ Muni Ram R/o Village- Sewatapur, P.S.- Mairwa, Distt- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-06-2023 In compliance of previous order dated 24.5.2023, Investigating Officer of the case is present in person in the Court. His presence is dispensed with.

Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 307/302/504/506 of the Indian Penal Code.

As per the prosecution case, all the 14 FIR named accused persons including these petitioners assaulted husband and son of the informant with lathi, danda, farsa etc. on account of which her son sustained injuries and died during treatment.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioners are agnate of the informant and there is long standing land dispute between them. Moreover, as per the First Information Report, 14 accused persons brutally assaulted the deceased but the post mortem report reveals that the deceased sustained



only three injuries. Allegation of assault is general and omnibus against all the accused persons and no specific overt act has been alleged against these petitioners.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VII, Siwan in Mairwa Police Station Case No. 220 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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