

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15073 of 2023

Arising Out of PS. Case No.-264 Year-2018 Thana- RAMGARHWA District- East
Champaran

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BHOLA RAM, S/O Vishwanath Ram, R/O Village- Yogwaliya, P.S-
Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-04-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sessions Trial No. 268 of
2022 (C.I.S. No. 268 of 2022) arising out of Ramgarhwa P.S.
Case No. 264 of 2018 dated 05.11.2018 registered for the
offences punishable u/ss 302 read with Section 34 of the Indian
Penal Code.

As per the prosecution case, the petitioner armed with
Gandasa assaulted the son of the informant causing injury on his



neck, on account of which he died while being taken to the hospital. It is further alleged that there is land dispute between the parties.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The co-accused person Lal Babu Ram has already been granted bail by this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 10568 of 2022. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.08.2021. Learned counsel has further submitted that the trial has not been concluded within the period of 6 months as directed by this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 10568 of 2022 with an observation that if the trial is not concluded within a period of six months, the petitioner may renew his prayer for bail.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the prayer of bail of the petitioner has already been rejected on merit by this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 10568 of 2022.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, Eest Champaran in connection with Sessions Trial No. 268 of 2022 (C.I.S. No. 268 of 2022) arising out of Ramgarhwa P.S. Case No. 264 of 2018 with the following condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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