

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16215 of 2023

Arising Out of PS. Case No.-627 Year-2022 Thana- RUPASPUR District- Patna

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1. ARJUN RAM Son of Late Kuldip Ram Resident of Village - Kothwan Chamartoli, P.S.- Khagaul, District - Patna.
 2. Shankar Ram Son of Late Ram Ishwar Ram Resident of Village - Kothwan Chamartoli, P.S.- Khagaul, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-05-2023 Heard Ld. counsel for the petitioners and Ld. APP

for the State.

The petitioners seek bail in connection with

Rupaspur P. S. Case No. 627 of 2022, registered for the

offences punishable under Section 302 and 34 of the Indian

Penal Code.

The prosecution case as emerges from the FIR is

that the petitioner and his associates had brutally assaulted

and killed the son of the sister of the informant when he had

gone to demand his wage.

Ld. counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners are not named in the F.I.R. and their name transpire during the course of investigation in the confessional statement of one of the co-accused Mahesh Ram. He also submits that except suspicion, there is nothing against the petitioners to connect them with the alleged offence.

He further submits that the petitioners have been languishing in jail since 11.10.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail



bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate 1, Danapur, District - Patna in connection with Rupaspur P. S. Case No. 627 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners



after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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