

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23551 of 2023

Arising Out of PS. Case No.-407 Year-2022 Thana- MAJHAULIA District- West Champaran

1. HARIOM RAM SON OF MANFUL RAM @ MANTU RAM R/O VILL.- MALUKA TOLA, P.S.- MAJHAULIYA, DISTT.- WEST CHAMPARAN
2. CHANDRIKA RAM SON OF RAMDAS RAM R/O VILL.- MALUKA TOLA, P.S.- MAJHAULIYA, DISTT.- WEST CHAMPARAN
3. VINOD RAM SON OF RAMDAS RAM R/O VILL.- MALUKA TOLA, P.S.- MAJHAULIYA, DISTT.- WEST CHAMPARAN
4. INDU DEVI WIFE OF VINOD RAM R/O VILL.- MALUKA TOLA, P.S.- MAJHAULIYA, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-06-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 149, 341, 323, 379, 302, 109, 504, 506, 337 of the Indian Penal Code.

As per F.I.R., on 05.06.2022 at about 7:00 PM, the father of the informant had gone to the house of co-accused Manful Ram @ Mantu Ram for recovery of his dues amount and it is alleged that after half an hour, the informant received information that his father has been assaulted and he has received some injury and as such, the informant rushed to the



place of occurrence and saw his father in an injured condition and when informant enquired from his father, his father disclosed that all the F.I.R. named accused persons including these petitioners brutally assaulted him by means of *lathi*, *danda*, iron rod and *khanti* and the accused also snatched his mobile phone. Thereafter, the informant took his father to hospital, where in course of treatment, his father died.

It is submitted on behalf of petitioners that there is general and omnibus allegation and no specific overt act has been alleged against these petitioners. The entire prosecution case is false and concocted. It is further submitted that police, after investigation, submitted final form against these petitioners and not sent up for trial, however; differing with the same, learned Chief Judicial Magistrate, Bettiah (West Champaran) took cognizance against all the FIR named accused persons, including these petitioners. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged 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 learned C.J.M., Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 407 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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