

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32082 of 2023

Arising Out of PS. Case No.-347 Year-2019 Thana- SAHPUR District- Patna

1. Ramjee Rai, Son of Sri Shivpujan Rai
 2. Birendra Rai, Son of Sri Shivpujan Rai
- Both are resident of village - Maksoodpur, P.S. - Shahpur, Dist. - Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Shahpur P.S. Case No.347 of 2019 registered for the offences punishable under Sections 147, 448, 323, 302 and 380 of the Indian Penal Code.

3. The accused/petitioners are named in the FIR and are in custody since 20.02.2023.

4. Allegation against the petitioners is to commit murder of mother of the informant along with other co-accused persons by causing bodily injuries by means of using *lathi*, iron rod, fist and slaps, etc, where occurrence is arises out of previous enmity.



5. It is submitted by learned counsel that allegation as regard to physical assault is appearing very much general and omnibus against these petitioners and by taking note of this fact, similarly situated co-accused, namely, Shivpujan Rai has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 09.06.2020 passed in Cr. Misc. No. 19449 of 2020. It is submitted that investigation fails to suggest any incrimination against these petitioners. While concluding argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioners.

7. In view of above-mentioned facts and circumstances, and by taking note of fact as allegation of physical assault is appearing very much general and omnibus against these petitioners, coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 20.02.2023, accordingly, the petitioners, above-named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate-1st Class, Danapur, Patna in connection with
Shahpur P.S. Case No.347 of 2019, subject to the conditions as
laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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