

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35379 of 2023

Arising Out of PS. Case No.-81 Year-2011 Thana- MOTIHARI MUFASIL District- East
Champaran

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RAJU RAM S/O GULCHAND RAM R/O Village-Baswariya, P.S.-Mufassil,
Motihari, Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad , Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 34 of the Indian
Penal Code.

3. Allegation against this petitioner is that he brutally
assaulted the son of informant namely Gagan Ram on his neck
with brick in which he sustained injury and fell down and
during course of treatment died.

4. It is submitted that the petitioner is innocent and
has falsely been implicated in this case due to previous enmity.
As a matter of fact, on occasion of holi festival deceased was in
intoxicated condition and began to abuse other accused persons



and tore the shirt of co-accused Jhiman Ram and also assaulted with fist and slaps, meanwhile he fell down on the brick and died. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that witnesses have supported the prosecution case in prara 7, 8, 9, 10, 11 and 12 of C.D. It is further submitted that Post Mortem report also supports the prosecution case.

6. Considering the nature and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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