

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37511 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- MAHESI District- East Champaran

1. RAMNATH RAM SON OF LATE RAM SURAT RAM RESIDENT OF VILLAGE - DAMODARPUR RANGREJ CHHAPARA, P.S. - MEHSI, DISSTRICK - EAST CHAMPARAN
2. GULTEN RAM @ GOLTEN RAM SON OF RAMNATH RAM RESIDENT OF VILLAGE - DAMODARPUR RANGREJ CHHAPARA, P.S. - MEHSI, DISSTRICK - EAST CHAMPARAN
3. LALPARIYA DEVI WIFE OF RAMNATH RAM RESIDENT OF VILLAGE - DAMODARPUR RANGREJ CHHAPARA, P.S. - MEHSI, DISSTRICK - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

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

learned APP for the State.

The petitioners are accuseds in connection with
Mehsi P.S. Case No. 222 of 2022 registered for the offences
under sections 302 and 34 of the Indian Penal Code lodged on
14.07.2022 by the informant, Rakesh Ram.

The prosecution case, in brief, as stated in the written
application of one Rakesh Ram is that his younger brother
Akhilesh Kumar Ram had gone to Damodarpur, Sasural of his
elder brother on 13.7.2022. He received phone at about 11.30



A.M. about the death of his brother. On this, he along with other went to Damodarpur Rangrej Chapra and came to know that due to some altercation Ramnath, Lalpariya Devi, Marachhiya Devi, Gulten Ram, Rajesh Ram, Savita Devi killed his brother with knife. Accordingly, the FIR.

Learned Counsel for the petitioners submit that the deceased was the son-in-law of the petitioner nos. 1 and 3, was visiting their house and allegedly died and the brother of the informant who was not present lodged FIR against all of them.

The petitioner no. 1 is father-in-law, petitioner no. 3 is mother-in-law and the petitioner no. 2 is brother-in-law of the deceased. Further submission is that they will co-operate in the investigation and has already remained in custody for almost one year since 15.07.2022 (as stated in paragraph 14 of the petition).

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned Counsel for the petitioners as also that while petitioner no. 1 is an aged person, the petitioner no. 3 is a lady while petitioner no. 2 is a boy of 21 years, have remained in custody since 15.07.2022 and none of them have criminal



antecedent, this Court is inclined to extend them privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Mehsi P.S. Case No. 222 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is



allowed.

(Rajiv Roy, J)

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