

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44202 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- SAHPUR District- Bhojpur

1. CHANDAN RAM @ CHANDAN KUMAR Son of Sri Rajendra Ram @ Rajendra Prasad R/o Village - Shahjauli, P.S.- Shahpur, Distt.- Bhojpur.
2. Moti Sil Ram @ Moti Sil Son of Late Kumhan Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.
3. Ramayan Ram @ Ramayan Kumar Ram Son of Sri Moti Sil Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.
4. Shanti Devi Wife of Sri Jaglotan Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.
5. Ramesh Ram @ Ramesh Kumar Ram Son of Sri Nand Kishor Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.
6. Nand Kishor Ram Son of Late Ram Kumhan Ram @ Kumhan Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.
7. Ravi Ram @ Ravi Bharti Son of Sri Bhuletan Ram R/o Village - Goudarh, P.S.- Shahpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s :

Mr. Uday Chand Prasad , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148 , 149, 323 , 447, 307, 354B, 504, 506 and 302 of the Indian Penal Code.

3. On the alleged date and time of occurrence , all the



accused persons including these petitioners armed with weapons assaulted the Bhaisur and father-in-law of the informant in which Nandkumar Ram (father-in-law) died during course of treatment.

4. It is submitted on behalf of the petitioners that petitioner Nos. 2 to 7 are agnates and on account of property dispute they have been made accused in this case. There is general and omnibus allegation against these petitioners and no overt act is alleged against them.

5. However, learned counsel for the State oppose the bail petition and submits that specific allegation of overt act is alleged against petitioner No. 1 that he assaulted the deceased on his head due to which he died.

6. Considering the fact that there is specific allegation of assault is on petitioner No. 1, as such his pre-arrest bail petition is hereby rejected.

7. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos 2 to 7, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the A . C . J . M. 1st Bhojpur, Ara in connection



with Sahpur P.S. Case No. 46 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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