

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47403 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. Birbal Ram, aged about 55 years, Male, son of late Tapi Ram.
2. Ajeet Ram, aged about 30 years, Male, son of Birbal Ram.
3. Birju Ram, aged about 32 years, Male, son of late Somari Ram.
4. Dina Ram, aged about 56 years, Male, son of late Sriram.
5. Brij Kishore Ram, aged about 29 years, Male, son of Dina Ram.
6. Braj Mohan Ram, aged about 25 years, Male,
7. Sunil Kumar, aged about 30 years, Male, both son of Balister Ram,
8. Rama Ram @ Rama Kumar, aged about 19 years, Male, son of Balister Ram

All resident of Village- Sahladpur, PS- Manjhagarh, Dist. Gopalganj

9. Deepu Ram, aged about 22 years, son of Parbhu Ram,
10. Pankaj Ram @ Pankaj Kumar, aged about 26 years, Male, son of late Haridya Ram,
All resident of village- Madhu Sarya, PS- Manjhagarh, Dist. Gopalganj
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Dhramveer, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Manjhagarh PS Case No.93 of 2023 dated 30.03.2023, instituted
under Sections 341, 323, 324, 325, 307, 354, 379, 504, 506/34
of the Indian Penal Code.

3. The prosecution story, in short, is that on the date of



occurrence when the informant's wife and his brother's wife was returning home from market, co-accused Deepak Ram along with other co-accused surrounded and assaulted the informant's wife, Kabutri Devi, on his head by means of Gandasa. Other accused persons assaulted Bindu Devi and snatched rupees thirty five thousand. The accused persons again assaulted the informant and his family members in the night when they came back to home from hospital.

4. Learned counsel for the petitioners submits that the allegation against the petitioners is general and omnibus. There is no specific allegation of assault against the petitioners. Specific allegation of assault is against Deepak Ram. It is further submitted that the informant is not the eye witness of the case. The informant did not disclose as to how he got information about the incident. There is case and counter case between the parties. Manjhagarh PS Case No. 92 of 1993 under section 307 and other allied sections of the Indian Penal Code has been lodged by the petitioner no. 1 against the informant's side and to save themselves the informant has lodged the present case. It is further submitted that both the sides are agnates and there is differences between them. Further, it is submitted that the petitioners have clean antecedents.



5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in Manjhagarh PS Case No. 93 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Khatim Reza, J)

J. Alam/-

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