

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61735 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Nagendra Ram Son Of Late Moti Ram Resident Of Village Sangrampur
Mathiya 3, P.S.- Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 342, 323, 324, 307, 308,
302, 504/34 of the Indian Penal Code.

As per allegation in the FIR, while the informant was
working in his field, FIR named accused persons surrounded
him and committed mar-pit. On his alarm, his father and
brothers came there to pacify the matter. It is further alleged that
petitioner and co-accused Dharmendra Ram assaulted by means
of iron rod on the head of his father and other accused persons
assaulted to his brothers by means of iron rod and spear. With
the help of villagers, his brothers and father were brought to



hospital for treatment and during treatment, his father, namely, Bhikhari Ram died.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to old land dispute. Chargesheet has been submitted so there is no chance of tampering with the prosecution evidence. In fact, there was free fight between the parties due to land dispute and members of both sides have received injuries. Allegedly, two persons, including the petitioner have assaulted the father of the informant but only one head injury was found on the body of the deceased, thus it is not specific that who is the main assailant of the deceased. Injury report and postmortem report is not in consonance with the prosecution case. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 10.05.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. As per postmortem report, deceased has received head injury apart from other injuries.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 171 of 2023.

(Sunil Kumar Panwar, J)

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