

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66649 of 2023

Arising Out of PS. Case No.-389 Year-2021 Thana- DIGHWARA District- Saran

1. POLICE RAM S/o- DEONANDAN RAM
2. Sonu Ram son of Police Ram
Both residents of Village- Manupur PS- Dighwara Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Dighwara P.S. Case no.389 of 2021 registered under sections 302, 323, 324, 341, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that the accused persons variously armed came and started to assault the informant and the members of his family. The allegation of assault is on Ram Pravesh Ram who was armed with a farsa as also on several other named accused persons including the two petitioners herein.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Even as



per the F.I.R., the main allegation is against Ram Pravesh Ram. The case of the petitioners stand on a similar footing to that of Jitendra Ram, Bijendra Ram and Satyendra Ram who have all been enlarged either on anticipatory or regular bail. The petitioner is in custody since 15.4.2023 and investigation in the case is complete.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the F.I.R. but there is direct allegation against them of having come armed with lathi, rod and bricks and of having actively participated in the occurrence leading to the death of the father of the informant. The medical report supports the allegation of assault by the accused persons.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners, the main allegation in the F.I.R. being against Ram Pravesh Ram together with other co-accused having been enlarged on bail vide orders at Annexure-4 series, the petitioners being in custody for 6 months since 15.4.2023 and chargesheet having been submitted in the case, the Court directs both the petitioners to be enlarged on bail in connection with Dighwara



P.S. Case no.389 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IX, Saran.

7. The petitioners shall cooperate in the case. In case the learned trial Court is of the opinion that the case is being delayed due to non-cooperation on part of the petitioners, the learned trial Court may cancel the bail bond of the petitioner(s) and take him/them into custody till conclusion of the trial.

(Partha Sarthy, J)

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