

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64163 of 2023

Arising Out of PS. Case No.-678 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

BINOD RAM SON OF YOGENDRA RAM VILL PATIYASA, PS
AHIYAPUR, DISTT MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-10-2023 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Ahiyapur PS case no. 678 of 2023, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report lodged by the informant Shiv Shanker Ram, is that on 31.05.2023 at about 11 am in the morning, he had gone to the house of his neighbour Pramod Ram for taking back his money. In the meanwhile, accused persons namely Yogendra Ram, Pramod Ram, Binod Ram (petitioner herein) and Bhukli Devi started abusing him and on protest, they started assaulting the informant and co-accused Pramod Ram assaulted the informant



by means of iron rod. It has further been alleged that the petitioner assaulted Subodh Ram by means of iron rod, when he intervened in quarrel in order to save the informant.

4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and there was dispute regarding money between the informant and other co-accused persons. It is further submitted that accused Pramod Ram and the petitioner Binod Ram are own brothers and Yogendra Ram and Bhukli Devi are parents of the petitioner. It is next submitted that the dispute between the parties is regarding money and the petitioner is having no criminal antecedent. Lastly, it is submitted that no serious injury has been caused to the victim Subodh Ram due to assault made by the petitioner, as would be evident from the impugned order.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the occurrence has taken place due to money dispute between the parties and from impugned order itself, it appears that no serious injury has been caused to the victim Subodh Ram. I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur PS case no. 678 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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