

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69270 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- MASHRAK District- Saran

RAJESH RAM Son of Mukurdhan Ram R/v- Dhangarha, P.S.- Baniyapur,
District- Saran (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 302/34 of the Indian Penal Code.

As per allegation in the FIR, while the informant and his wife were at his house, several accused eprsons including the petitioner came there with rod, lathi and danda and started to abuse and pressurized them to vacate the house. On protest made by the informant, on order of Kanhaiya Ram, petitioner assaulted to informant's wife on her head by means of rod. Accused Kanhaiya Ram assaulted the informant over his waist. It is further alleged that on way to hospital, informant's wife died.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There was no intention to kill the informant's wife as nobody had repeated blow to her. The alleged occurrence took place in the background of the land dispute. There is contradiction in prosecution case and restatement of the informant in respect of manner of assault. Petitioner has no criminal antecedent and he is languishing in judicial custody since 3.4.2022.

The application for bail is opposed by learned APP for the State and submitted that as per postmortem report, injury was caused by hard and blunt substance.

Having heard learned counsel for the parties and considering the period of custody, 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 J.M. 1st Class, Saran at Chapra in connection with Masrakh P.S. Case No. 146 of 2022.

(Sunil Kumar Panwar, J)

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