

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8383 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- HAYAGHAT District- Darbhanga

Santosh Ram Son of Manoj Ram Resident of Village-Ghosrama, Police
Station-Hayaghat, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Hayaghat P.S. Case No. 170 of 2023 dated 03.11.2023,
instituted for the offence punishable under Sections 302 and 34
of the Indian Penal Code.

3. The prosecution case, in short, is that on 03.11.2023
at 05:00 am, the petitioner along with other co-accused persons
entered into the house of the informant and dragged her husband
to their Darwaja where the accused persons tied her husband
namely, Sanjeet Sada with an electric pole and brutally assaulted
him and co-accused Manoj Ram assaulted him by jumping on
his chest due to which he received grievous injury and died on
the way to hospital.



4. Learned counsel for the petitioners submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that specific allegation of assault is against one co-accused namely, Manoj Ram. Learned counsel further submitted that the allegation against the petitioner is general and omnibus in nature. It is further stated that similarly situated persons namely, Sanju Kumari and Sheela Devi have been granted bail vide order dated 18.01.2024 passed by this Court in Criminal Miscellaneous No. 85998 of 2023. Lastly, it has been submitted that the petitioner has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Hayaghat P.S. Case No. 170 of 2023, they shall be released on anticipatory 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 Additional Chief Judicial Magistrate-I, Darbhanga, subject to condition as laid down under Section 438(2) of the



Cr.P.C.

(Khatim Reza, J)

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