

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11651 of 2024

Arising Out of PS. Case No.-98 Year-2007 Thana- MUFFASIL District- Aurangabad

Shankar Ram Son of Ram Subish Ram @ Ram Sivish Ram Resident of
Village- Khaira Tola @ Khairi Tola, Chhedi Bigaha, P.S.- Aurangabad
Muffasil, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Aurangabad Muffasil P.S. Case No. 98 of 2007 dated
11.07.2007 registered for the offence(s) punishable under
Section(s) 302/34 of the Indian Penal Code

3. The main submissions advanced by the learned
counsel for the petitioner are that the informant is not an eye-
witness of the alleged offence of murder, only suspicion was
raised by the informant against seven accused persons including
this petitioner on account of a land dispute but the said dispute
was running in between the victim and his co-villagers Yugal
Ram and Nand Kishore Ram but the petitioner was not a party



of the said dispute and one similarly situated co-accused namely, Binod Ram has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 1199 of 2008 and the petitioner has got no criminal antecedent and he did not appear before the concerned Magistrate where petitioner's case is still running for commitment on account of cognizance order passed against him having been challenged by him and he did not avoid his appearance intentionally.

4. Learned APP appearing for the State opposes the bail prayer.

5. In the facts and circumstances of this case, and considering the above submissions and mainly the petitioner's fair and clean antecedent and the privilege of bail having been granted to one co-accused by a co-ordinate bench of this court and also, the nature of allegation appearing against this petitioner from the FIR, this court is inclined to accept his bail prayer. Accordingly, **let the petitioner named above be released on bail, after framing of charge,** in connection with Aurangabad Muffasil P.S. Case No. 98 of 2007 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

6. The concerned learned Magistrate is directed to



commit the petitioner’s case at the earliest preferably within 20 days from the receipt of this order and thereafter trial court shall take steps to frame the charges upon the petitioner within 20 days after the commitment of the petitioner's case.

(Shailendra Singh, J)

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