

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17942 of 2024

Arising Out of PS. Case No.-174 Year-2016 Thana- MAJHAULIA District- West Champaran

Munna Ram, Son of Late Bharat Ram, Resident of Village - Bathna, P.S. -
Majhauria, District - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner/accused seeks bail in connection
with Majhauria P.S. Case No.174 of 2016 registered for the
offences punishable under Section 302 read with 34 of the
Indian Penal Code.

3. The accused/petitioner is named in the FIR and
is in custody since 23.11.2023.

4. The allegation against the petitioner is to
commit murder of seven years old son of informant
alongwith other co-accused persons.

5. It is submitted by learned counsel appearing for
the petitioner that implication of petitioner appears out of



local disputes and differences, where the petitioner has been implicated with present case for the reason that his son had called the deceased from his house. It is submitted that even from the face of FIR, save and except suspicion, nothing surfaced against the petitioner as to connect him with present case. It is pointed out that similarly situated co-accused, namely, Bhukhal Ram has already granted bail by this Court vide order dated 28.06.2023 passed in Cr. Misc. No.32147 of 2023. While concluding argument, it is submitted that investigation of this case has already concluded and, as such, there is no chance of tampering with evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid facts and circumstances, as even the allegation of last seen is not available against the petitioner, where implication appears *prima facie* out of suspicion, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.11.2023, accordingly, the above-named petitioner is



directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Majhaulia P.S. Case No.174 of 2016 subject to the condition as laid down under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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