

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26846 of 2024

Arising Out of PS. Case No.-1079 Year-2023 Thana- TURKAULIYA District- East Champaran

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GOLU GUPTA S/O CHANDR PRASAD GUPTA R/O VILLAGE-
RAGHUNATHPUR, WARD NO. 27, P.S- RAGHUNATHPUR O.P., DISTT.-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 26932 of 2024

Arising Out of PS. Case No.-1079 Year-2023 Thana- TURKAULIYA District- East Champaran

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RANJEET RAM S/O RAMCHANDRA RAM R/O VILLAGE-
RAGHUNATHPUR, WARD NO. 27, P.S- RAGHUNATHPUR O.P., DISTT.-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 26846 of 2024)

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Anil Kumar

(In CRIMINAL MISCELLANEOUS No. 26932 of 2024)

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 13-08-2024 Heard learned counsel for the petitioners as well as

learned APP for the State.

2. In this case, the petitioners are seeking regular

bail in connection with Turkauliya (Raghunathpur) P.S. Case



No. 1079 of 2023, registered for the offences punishable under Sections 302/34 of the IPC and Section 27 of the Arms Act.

3. As per allegation, when the informant along with her husband was returning to his home, in the way, the accused persons including the petitioner assaulted her husband with knife and iron rod. Further, co-accused Chandan Ram fired gun shot on his thigh, due to which, blood was oozing out of his body. Thereafter, the husband of the informant was rushed to the hospital where he was declared dead.

4. The learned counsel for the petitioner has submitted that the petitioners are the persons of clean antecedent and have falsely been implicated in this case. It has specifically been mentioned in the FIR that co-accused Chandan Ram fired shot at the deceased and injury no. 2, as per post-mortem report, is fire-arm injury which was opined as cause of death of the deceased. Despite that injury, two bruises were also found on the person of the deceased. The allegation against the petitioner is general and omnibus and altogether ten persons have been made accused with the allegation that they have also assaulted the deceased. He has also submitted that during course of investigation, it has been detected that the deceased was a person of criminal nature. The petitioners are under custody



since 30.10.2023.

5. So far as allegation against the petitioners are concerned, it is general and omnibus. The specific allegation to fire on the deceased is on co-accused Chandan Ram. The injury which was responsible for death of the deceased, as per post-mortem report, was fire-arm injury caused by co-accused by co-accused Chandan Ram.

6. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 1079 of 2023, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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