

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42408 of 2024

Arising Out of PS. Case No.-38 Year-2021 Thana- CHHATAPUR District- Supaul

1. Upendra Ram S/O Late Ram Prasad Ram R/O Village- Dehariya, Ward No. 5, P.S- Chhatapur, Distt.- Supaul.
2. Gajendra Ram S/O Late Ganeshi Ram R/O Village- Dehariya, Ward No. 5, P.S- Chhatapur, Distt.- Supaul.
3. Bhupendra Ram S/O Late Boday Ram R/O Village- Dehariya, Ward No. 5, P.S- Chhatapur, Distt.- Supaul.
4. Anil Ram S/O Raghunandan Ram R/O Village- Dehariya, Ward No. 5, P.S- Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Chhatarpur P.S. Case No. 38 of 2021 dated 11.02.2021,
instituted for the offence punishable under Sections 147, 148,
323, 324, 307, 427, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence, when the informant was working at his door, the
accused petitioners along with other co-accused persons armed
with various weapons came at the door of the informant and



started abusing him. One co-accused, namely, Sanjeet Ram assaulted him on his head by means of iron rod and when the elder brother and nephew of the informant came to rescue him, they were also assaulted by means of *farsa*, *lathi* and *danda*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. The allegation against the petitioners is general and omnibus. It is submitted that petitioners and the informant are neighbours and there is case and counter case between the parties. The counter case has been lodged by the petitioners side bearing Chhatarpur P.S Case No. 37 of 2021, which was instituted by Gajendra Ram against the informant of the present case along with ten other persons. It is submitted that on the date of occurrence i.e. on 10.02.2021 at about 8:00 am, the informant of the present case along with ten other accused persons came to his door armed with deadly weapons and started abusing and assaulting. When petitioner no. 2, namely, Gajendra Ram came to his rescue, he was assaulted by Ramchandra Ram by means of *farsa* while co-accused Bichan Ram was assaulted by Deepak Ram. It is submitted that Armarjeet Ram was injured by Khatar Ram and Sanjeet Ram was assaulted by the Shiv Shankar Ram (informant) with iron



rod. It is further submitted that other similarly situated persons, namely, Pramod Ram, Chandan Ram, Raja Kumar, Chhotu Ram and Sanjeet Ram have been granted bail *vide* order dated 29.11.2023 passed in Criminal Miscellaneous No. 76688 of 2023 by this Court. Lastly, it has been submitted that they have no criminal antecedent.

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

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 petitioners within a period of six weeks from today, in connection with Chhatarpur P.S. Case No. 38 of 2021, 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 A.C.J.M.-V, Supaul, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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