

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49491 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- KOTWA District- East Champaran

1. Vinod Ram Chandra Deo Ram R/O Of Vill.- Talwa, Ps- Kotwa, District- East Champaran
2. Milan Ram @ Milan Kumar S/O- Vinod Ram R/O Of Vill.- Talwa, Ps- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP

for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

Thrust of accusation is of assaulting the informant's husband. As per allegation in the F.I.R., while the husband of the informant, namely, Sanjay Ram was going to market, in the meantime,



petitioner along with other co-accused persons surrounded him and started assaulting. It is further alleged that petitioner No. 1 (Vinod Ram) assaulted him with brick due to which he sustained head injuries. Thereafter, co-accused Rakesh Ram assaulted by means of iron rod on his head. Other co-accused persons assaulted him by means of bricks and stone due to which he sustained injuries on his head, face, chest and other parts of his body. It is further alleged that co-accused Bulu Kumar came later with lathi danda and started abusing and assaulting.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case due to land dispute and local village politics. There is no specific allegation against the petitioner No. 2, Milan Ram however, there is general and omnibus allegation against he petitioner No. 1, Vinod Ram of assaulting the informant's husband by means of brick on the head of the petitioner. It is further



submitted that informant is not the eye witness of the alleged offence. Both parties are co-villagers. Moreover, the petitioners are languishing in judicial custody since 01.05.2024.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case *as well as period of custody*, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kotwa P.S. Case No. 118 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate X, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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