

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59936 of 2024

Arising Out of PS. Case No.-525 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Rambabu Kumar @ Ram Babu Kumar Singh son of Mahesh Singh Resident
of village - Patiyasa, P.S- Ahiyapur, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ravi Ranjan, Advocate
For the Opposite Party	:	Mr. Yogendra Kumar Singh, APP
For the Informant	:	Dr. Bipin Chandra, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner as well as

learned counsel for the informant and learned A.P.P for the

State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Ahiyapur P.S. Case No.
525/2024 dated 18.04.2024 registered for the offence punishable
u/s 147, 148, 149, 324, 326, 307 and 302 of the Indian Penal
Code.

3. As per the prosecution case, on 17-04-2024, when
the informant was at his home one Baiju Bhagat and Shankar
Bhagat installed Thressor Machine in front of the informant
house. On being objected by the informant, both the persons
started threatening the informant but with the intervention of the



local person the matter was pacified and further on 18-04-2024, the petitioner and the co-accused persons armed with lathi and sword came to the house of the informant and started abusing and assaulting the informant, in the meantime, the co-accused Santosh Kumar assaulted Sashi Krishan with a sword on the neck but somehow he escaped and sustained injury on his shoulder. It is further alleged that the other accused persons also assaulted him. When the brother of the informant and Sanju Devi came to rescue, they were also assaulted by the accused persons. Further, when the son of the informant was lying severely injured on road, the co-accused Suraj Kumar crushed him with tractor (chariot). Thereafter, the informant's son was taken to hospital where he was declared dead and others were treated at S.K.M.C.H., Muzaffarpur.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The charge-sheet has been submitted against the petitioner. There is general and omnibus allegation against the petitioner. The petitioner is a member of the mob. The specific allegation is against the co-accused, Santosh Kumar and Suraj Kumar. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner



is in custody since 19.04.2024

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner. As per the post-mortem report, the cause of death is due to haemorrhage and shock caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Ahiyapur P.S. Case No. 525/2024, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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