

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61299 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Dharmendra Ram Son Of Jokhan Ram Resident Of Village - Sangrampur
Mathiya 3, P.S. - Sangrampur, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 323, 324, 307, 308, 302, 504 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, while the informant was working in his field, FIR named accused persons surrounded him and committed mar-pit. On his alarm, his father and brothers came there to pacify the matter. It is further alleged that co-accused and this petitioner assaulted by means of iron rod on the head of his father and other accused persons assaulted to his brothers by means of iron rod and spear. With the help of villagers, his brothers and father were brought to



hospital for treatment and during treatment, his father, namely, Bhikhari Ram died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to old land dispute. Allegedly, two persons including this petitioner have assaulted the father of the informant but only one head injury was found on the body of the deceased. Thus, it is not specific that who is the main assailant of the deceased. Injury report and postmortem report do not corroborate with the prosecution version. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 15.12.2023 in Cr. Misc. No. 61735 of 2023. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 10.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



released on bail in connection with Sangrampur P.S. Case No. 171 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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