

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61642 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- HARSIDHI District- East Champaran

1. Umesh Ram S/O- Ramdeo Ram Village- Ahirgawa Harsidhi Ps- Harsidhi Dist- East Champaran
2. Awadh Kishore Ram Son of Sevak Ram Village- Ahirgawa Harsidhi Ps- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Harsidhi P.S. Case No. 296 of 2024 dated 29.05.2024, lodged under Sections 147, 148, 149, 341, 323, 324, 307, 448, 380, 504 and 302 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 12 named accused persons including the present petitioners. The allegation in the FIR is against co-accused namely Ram Surat Ram and Ashish Kumar Ram @ Raja Ram who have cut the bamboo from the field of the informant and upon oppose, they along with other accused persons reached at the house of the



informant in the evening and assaulted him and his father and due to the said assault, informant's father become badly injured and in result, he died during treatment and section 302 of the IPC was added subsequently in this case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that there is no specific allegation against the present petitioners and there is general and omnibus allegation against all the accused persons. Counsel further submits that the criminal antecedent of the petitioners are clean.

5. Learned APP for the State on the other hand opposes the prayer for bail of the petitioners and submits that upon minute reading of the FIR, it become clear that there may not be any allegation upon petitioner no.1, but against petitioner no.2, there is specific allegation.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner no.1 be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran in



connection with Harsidhi P.S. Case No. 296 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. So far as the petitioner no.2 is concerned, this Court is not inclined to grant bail to him. Accordingly, the prayer for anticipatory bail of the petitioner no.2 is hereby rejected.

(Dr. Anshuman, J)

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