

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65428 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- THAKRAHA District- West Champaran

1. Bhikhari Ram Son of Late Shivdhari Ram Village- Siswaniya, Ward No. 9, Police Station -Thakraha, District -West Champaran
2. Krishna Ram @ Govind Ram Son of Bhikhari Ram Village- Siswaniya, Ward No. 9, Police Station -Thakraha, District -West Champaran
3. Shanti Devi Wife of Bhikhari Ram Village- Siswaniya, Ward No. 9, Police Station -Thakraha, District -West Champaran
4. Usha Devi wife of Krishna Ram @ Govind Ram Village- Siswaniya, Ward No. 9, Police Station -Thakraha, District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Thakraha P.S. Case No. 18 of 2024 instituted under Sections 147, 148, 139, 149, 341, 323, 307, 379, 447, 504 and 506 of the Indian Penal Code and later section 302 of the Indian Penal Code on 24.04.2024 by the informant, Sandhya Devi.

3. As per the prosecution story, the informant alleged that the accused persons were agnates, came, armed variously and further allegation is that Pappu Ram assaulted holding her



hair and further gave 'Dab' blow to Ram Surat Ram. He also assaulted the mother-in-law by 'lathi' causing injury to her. So far as other accused persons including these petitioners, there is omnibus allegation of assault and further taking away some amount from the pocket. The father-in-law was taken to Gorakhpur for treatment and thereafter, came to the police station to lodge the FIR.

4. Learned counsel for the petitioners submit that there is delay in lodging of the FIR, admittedly, the allegation of assaulting Ram Surat Ram who subsequently died is on Pappu Ram, so far as these petitioners are concerned, one of them is 69 years old while the other two are ladies, against Krishna Ram there is allegation of taking away the money and no allegation is/are there.

5. Learned APP opposes the prayer stating that due to the assault, the father-in-law of the informant died

6. Though, there is an unfortunate death, the role has been attributed to Pappu Ram who also assaulted the informant and the mother-in-law besides the deceased, against these petitioners omnibus allegation is/are there, two of them are ladies and one is 69 years old, this Court is inclined to extend them the privilege of anticipatory bail.



7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Thakraha P.S. Case No. 18 of 2024 to the satisfaction of learned Judicial Magistrate-1st Class, Bagaha, West Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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