

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67547 of 2024

Arising Out of PS. Case No.-1079 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Om Prakash Ram @ Prakash Ram Son of Bharat Ram Resident of Village -
Raghunathpur, P.S. - Raghunathpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Turkauliya
(Raghunathpur) P.S. Case No. 1079 of 2023 registered for the
offence punishable under Section-302/34 of the Indian Penal
Code.

3. As per allegation, when the informant along with
her husband was returning to his home, in the way, the accused
persons including the petitioner assaulted her husband with
knife and iron rod. Further, co-accused Chandan Ram fired gun
shot on his thigh, due to which, blood was oozing out of his
body. Thereafter, the husband of the informant was rushed to the
hospital where he was declared dead.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. It has specifically been mentioned in the FIR that co-accused Chandan Ram fired shot at the deceased and injury no. 2, as per post-mortem report, is fire-arm injury which was opined as cause of death of the deceased. Despite that injury, two bruises were also found on the person of the deceased. The allegation against the petitioner is general and omnibus and altogether ten persons have been made accused with the allegation that they have also assaulted the deceased. He has also submitted that during course of investigation, it has been detected that the deceased was a person of criminal nature. Similarly situated co-accused persons have been granted bail by this court by order dated 13-08-2024 passed analogously in Cr. Misc. Nos. 26846 of 2024 and 26932 of 2024. The petitioner is under custody since 04.03.2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with



Turkauliya (Raghunathpur) P.S. Case No. 1079 of 2023, subject to the condition that the petitioner shall cooperate in the trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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