

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65518 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- GWALPARA District- Madhepura

RAM PRAVESH RAM Son of Late Brahmdeo Ram Resident of Village -
Khokhshi Ramganj, Ward No.- 10, P.S.- Gwalpara, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhaskar Shankar
For the State	:	Mr.Sanjay Kumar Singh
For the Informant/s	:	Mr. Rajnish Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that the petitioner along with his two sons shot dead her husband namely, Shiv Saksena. It is further alleged that the said occurrence took place in the background of money dispute.

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. The alleged occurrence took place on 14.4.2023 but the present FIR has been lodged on 16.4.2023 after completion of inquest report and dead body was



also sent for postmortem, which creates doubt upon the prosecution. The informant is not eye witness of the alleged incident. According to the FIR, there is no specific overt-act against this petitioner rather it is alleged that two sons of the petitioner have opened fire upon the deceased. As per postmortem report, doctor opined that a lacerated wound over right mid clavicular line is found and cause of death is due to Haemorrhage & shock as a result of chest injury by firearm. The petitioner has got no criminal antecedent and languishing in judicial custody since 17.4.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the witness of this case vide para 6 & 7 of the case diary have supported the prosecution case and stated therein that this petitioner including two co-accused persons have opened fire upon the deceased at the time of occurrence.

6. Considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Gwalpara P.S. Case No. 66 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 CJM, Madhepura.

(Sunil Kumar Panwar, J)

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