

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77361 of 2023

Arising Out of PS. Case No.-346 Year-2014 Thana- GAIGHAT District- Muzaffarpur

Baleshwar Ram Son Of Kishori Ram Village- Kakadiya Ps- Gaighat Dist-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mani Bhushan Kumar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 447, 448, 341, 342,
323, 307, 302, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of brutally assaulting the husband of the informant
leading to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
land dispute. He has committed no offence. The petitioner and
informant are gotiya and at the time of occurrence, petitioner
was not present there, he was out of state for his livelihood as he
is a labourer. There is general and omnibus allegation against



the petitioner and no specific overt act of assaulting against the petitioner. During investigation, it is found that no independent witnesses have supported the allegation levelled against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody for about ten months.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-21st, Muzaffarpur in connection with Gaighat P.S. Case No. 364 of 2014.

(Sunil Kumar Panwar, J)

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