

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81453 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- AGRER District- Rohtas

1. DASHRATH RAM Son of Late Lala Ram Resident of village - Kothra, P.S.- Agrer, District - Rohtas.
2. Lakshman Ram Son of Late Lala Ram Resident of village - Kothra, P.S.- Agrer, District - Rohtas.
3. Bira Ram Son of Late Ashbarana Ram Resident of village - Kothra, P.S.- Agrer, District - Rohtas.
4. Uma Ram Son of Bikarama Ram Resident of village - Kothra, P.S.- Agrer, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Arun Kumar Singh, Advocate
For the State : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, all the 12 accused persons named in the F.I.R., including these petitioners, went to the house of the informant and abused and assaulted her husband with stick, due to which he died.

4. It is submitted by learned counsel appearing on behalf of the petitioners that from bare perusal of the F.I.R., it is



apparent that the informant is not an eye-witness of the alleged occurrence and only on suspicion, these petitioners have been made an accused in this case. There is no specific allegation of overt act against these petitioners. It is further submitted that as per F.I.R., the assault is said to have taken place on 21.05.2022 and the deceased is said to have died on 10.06.2022 and the F.I.R. has been lodged after delay of seven months on 10.01.2023, which renders the prosecution case doubtful. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, delay in lodging of the F.I.R. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sasaram, Rohtas, in connection with Agrer P.S. Case No.2 of 2023, subject to condition as laid down under Section 438(2) of the



Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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