

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80726 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- BIHIA District- Bhojpur

Krishna Ram @ Krishna Kumar Ram Son Of Late Sheoparsan Ram R/O Vill
- Kateya, P.S. - Bihiya, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bihiya P.S. Case No. 146 of 2023 dated 13.06.2023 instituted
for the offence punishable under Sections 364, 302, 201/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on
07.06.2023 at about 7 pm, the son of the informant had gone to
attend a marriage ceremony in the village, but he did not return
to his home till late night. On next day, his dead body was found
one kilometer south from the Kateya Railway *Gumati*. It is
alleged that some days before, the petitioner along with other
accused persons had threatened the informant to kill his family
members as there is love affairs between the informant's elder



son and the daughter of the co-accused, namely, Raja Ram. It is alleged that petitioner and other accused persons have killed his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that on suspicion, the petitioner has been made accused in this case. Learned counsel for the petitioner submits that the date of occurrence is 08.06.2023 and the present case has been lodged on 13.06.2023 without any plausible explanation of delays. There is no eye witnesses of the occurrence. Learned counsel for the petitioner submits that during investigation, nothing has come against the petitioner which connects the petitioner in this incident. Learned counsel for the petitioner further submits that there is love affairs between the deceased and the daughter of the co-accused, namely Raja Ram, and only on the basis that the petitioner being the father of the said Raja Ram, he has been made accused in this case. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bihiya P.S. Case No. 146 of 2023, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Bhojpur at Arrah subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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