

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84764 of 2023

Arising Out of PS. Case No.-262 Year-2023 Thana- RAJPUR District- Buxar

Om Prakash Ram @ Narayan Ram Son Of Sudarshan Ram Resident Of
Village - Devdhiya, P.S. - Rajpur, District - Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 147, 149, 302, 307,
120(B), 504, 506 of the Indian Penal Code and Section
27 of Arms Act.

Prosecution case in nutshell is that on the
alleged date of occurrence, petitioner along with other
co-accused persons, variously armed, came at the house
of informant and dragged her husband from the house
and shot in his chest due to which he succumbed to



injuries. When the informant and other family members came to save, accused persons made firing upon them causing injury to sons of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is general and omnibus allegation of firing attributed against the petitioner. The main allegation of firing is against co-accused Akhilesh Ram due to which husband of the informant died. Moreover, from perusal of the seizure list, it appears that no cartridges have been recovered from the place of occurrence and as such it creates doubt over the prosecution version. Petitioner is languishing in judicial custody since 01.07.2023. Similarly situated co-accused Ajay Ram @ Upendra Ram has been granted bail vide order dated 10.01.2024, passed in Cr. Misc. No. 82012 of 2023 by co-ordinate Bench of this Court.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rajpur P.S. Case No. 262 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Buxar.

(Sunil Kumar Panwar, J)

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