

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3905 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- Mufassil District- Khagaria

Pawan Ram S/o Umesh Ram Resident of Village- Sanhauuli, PS- Chitragupta
Nagar, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Muffasil P.S. Case No. 87 of 2024 dated 21.07.2024, instituted for the offence punishable under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioner and other co-accused persons called the husband of the informant and took him to Rako Chandra Nagar to cook food. They kept him in the house of Laddu Yadav till 20.07.2024 and brutally assaulted him due to which he succumbed to death. Thereafter the accused persons threw his body on the road and fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner as well as co-accused namely, Rajesh Sah and Bittu Sah are halwai and the deceased was their helper and they used to worked together with mutual consent. The petitioners had no knowledge about the occurrence. Only for the reason that the petitioner and the deceased worked together, the informant has implicated the petitioner in the present case. During investigation, the prosecution witnesses do not support the allegation levelled against the petitioner. Learned counsel for the petitioner further submits that in paragraph nos. 30 & 31 of the case diary, the mother and the daughter of the deceased have clearly stated in their statement that Laddu Yadav and Pappu have assaulted the deceased. In paragraph no. 34, an independent witness, namely, Birju Yadav, who is the resident of the petitioners' village and also claims to be eye-witness to the occurrence, stated that Laddu Yadav and Pappu Yadav along with unknown persons assaulted the deceased. It is next submitted that similarly situated co-accused person namely, Rajesh Sah and Bittu Sah have been granted bail *vide* order dated 22.01.2025 passed by this court in Criminal Miscellaneous No. 81596 of 2024. Lastly, it has been submitted



that the petitioner is in custody since 22.07.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Muffasil P.S. Case No. 87 of 2024.

(Khatim Reza, J)

Sankalp/-

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