

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35860 of 2025

Arising Out of PS. Case No.-223 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Upindra Ram @ Upendra Ram S/o Nageshwar Ram Resident of Village-
Parasauniya, P.O.- Anjakot, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan II, Adv. Mr. Pranav Kumar, Adv. Ms. Priyanka Kumari, Adv. Ms. Anjana Gupta, Adv.
For the Opposite Party/s :		Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Motipur P.S. Case No. 223 of 2023 dated 14.07.2023 registered for the offences punishable under Sections 341, 323, 302, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 13.07.2023 at about 5 P.M., the informant's son was coming from Motipur Bazar to his home on bicycle after purchasing fertilizers and as he reached near Parasaunia Bazar, the petitioner and the co-accused persons started abusing and also assaulted him by slaps and the



co-accused, Raja Babu Ram gave a blow of iron rod on his head with intention to kill him due to which he got injured and blood oozed out and due to this the informant's son fell on the ground. Thereafter, the motorcycle key was inserted in his wound and twisted by the accused persons and on information the injured was taken to the hospital by the informant but during course of treatment his son died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the specific allegation of assaulting with iron rod on the head of the deceased is against the co-accused Raja Babu Ram. There is general and omnibus allegation against the petitioner who along with other accused persons abused and slapped the informant's son Roshan Kumar. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.12.2024. The co-accused person has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 914 of 2024.

5. Learned A.P.P. for the State has opposed the bail



petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Motipur P.S. Case No. 223 of 2023, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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