

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70059 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- GOPALPUR District- West Champaran

Sahdev Ram Son of Late Chulahi Bhagat Resident of Village- Purainadih,
P.S.- Gopalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP
For the O.P. No. 2	:	Mr. Sanjeev Kumar, Advocate
		Mr. Md. Dilshad Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Gopalpur P.S. Case No. 60 of 2024 dated 08.05.2024, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302, 427, 435, 504, 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 06.05.2024, all the F.I.R. named accused persons came at the hut of the informant variously armed and then Rajendra Ram ordered to put the hut of the informant on fire, and then Santosh Ram sprinkled petrol on the hut of the informant and put the hut on fire. The informant further alleged that he came out from the



hut with his mother namely, Sugiya Devi and then all accused persons assaulted him and caused fractured injury in the leg of Shiv Prasad and all accused thereatened that they will capture the house of the petitioner. The informant further alleged that on 07.05.2024 at about 02:00 am, her mother Sugiya Devi, sister Nirmala Devi and her wife Sunita Devi were keeping watch on the house and then all accused persons variously armed came and started abusing the mother of informant and when the wife and sister of informant raised objection then Manohar Ram, Sahdev Ram (petitioner) and Ramnath Ram had killed the mother of the informant by throttling her neck. The informant further alleged that motive behind the occurrence is that the accused persons are powerful people and they are trying to capture the land of the informant and for which a case has been lodged by the police under Section 107 of the Cr.P.C. due to this reason, the accused persons had put the house of informant on fire and they have killed the mother of the informant and he further alleged that after the occurrence the police came and the dead body was sent for the post-mortem examination.

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 there is a case and counter case



between the parties bearing Gopalpur P.S. Case No. 69 of 2024 lodged by the petitioner against the informant and others. *Fard beyan* of the informant of counter case was recorded on 07.05.2024 at 04:40 pm for the occurrence of 06.05.2024. The said statement was recorded at Government Medical College & Hospital, Bettiah. It is also submitted that petitioner was discharged from the hospital on 10.05.2024 which would appear from discharge summary. It is next submitted that the alleged occurrence took place on 06.05.2024 but the F.I.R. was lodged on 08.05.2024 i.e. after a delay of two days without any plausible explanation. Learned counsel further submitted that the post mortem report reveals that there was no external injury on the body of the deceased. Further it is stated that similarly situated co-accused namely, Manohar Ram has been granted bail *vide* order dated 16.12.2024 passed by this court in Criminal Miscellaneous No. 59428 of 2024. Further, co-accused Ramnath Ram has been granted regular bail by this Court today itself *vide* Criminal Miscellaneous No. 3353 of 2025. Lastly, it has been submitted that the petitioner is in custody since 30.06.2024, he has one criminal case against him 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 each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Gopalpur P.S. Case No. 60 of 2024.

(Khatim Reza, J)

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