

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77228 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- DINARA District- Rohtas

Kamlesh Ram S/O Sri Bhagwan Ram R/O Village- Bhanpur, P.S- Dinara,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 77876 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- DINARA District- Rohtas

Munna Singh Son of Satyendra Singh Resident of Village- Bhanpur PS
-Dinara District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 77228 of 2024)
For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP
(In CRIMINAL MISCELLANEOUS No. 77876 of 2024)
For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr.Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in
connection with Dinara P.S. Case No. 163 of 2024, registered
for the alleged offences under Sections 302, 201/34 of the
Indian Penal Code.



3. As per prosecution case, the husband of the informant used to drive the tractor of co-accused Satyendra Singh and suddenly he went missing. After three days, the informant came to know that her husband was brutally killed by cutting his head and right hand and the dead body was thrown in an isolated place in the village.

4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioner Kamlesh Ram is not named in the FIR which was registered against petitioner Munna Singh and other co-accused persons. Learned senior counsel further submits that the husband of the informant in inebriated condition came under the ripper machine attached with the tractor used to cut paddy and lost his life. Petitioner Munna Singh had been operating the reaper machine but due to sound generated by the said machine and the deceased being in intoxicated condition nothing could be done and the husband of the informant came under the machine and got beheaded and even his head was shredded into pieces. Learned senior counsel further submits that utmost the petitioners could be said to be guilty of offence under Section 201 of the IPC as they did not inform the informant about death of her husband but it was an



accidental death. Learned senior counsel further submits that charge sheet has been submitted and petitioners are having clean antecedent and are in custody since 25.06.2024 and 31.08.2024, respectively.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the probability of husband of the informant suffering an accidental death and also considering the submission of charge sheet, period of custody of the petitioners and their clean antecedent, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, District - Rohtas/concerned Court in connection with Dinara P.S. Case No. 163 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present



on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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