

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81824 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- HARSIDHI District- East Champaran

1. Ramsurat Ram son of Late Dharamdev Ram village- Ahirganwa, ps- Harsidhi, Dist- East Champaran
2. Ashish Kumar Ram @ Raja Ram @ Ashish Kumar Son of Ramsurat Ram village- Ahirganwa, ps- Harsidhi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP
For the Informant	:	Mr. Aashish Kumar, Advocate
		Mr. Adarsh Kumar, Advocate
		Ms. Akansha Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2025 Heard Learned Counsel for the petitioners, Learned
A.P.P. for the State and Learned Counsel for the Informant.

2. The petitioners seek regular bail in connection with Harsidhi P.S. Case No. 296 of 2024, lodged on 29.05.2024, under Sections 147, 148, 149, 341, 323, 324, 307, 448, 380, 504 of the Indian Penal Code. Later on offence under Section 302 of the Indian Penal Code was added.

3. As per the prosecution, F.I.R. has been lodged against 12 named accused persons including the present petitioners against whom there is allegation of assault upon the informant's father who died subsequently on the very next day



of the occurrence.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that from the FIR, it becomes clear that 12 accused persons were made accused in the present case on the dispute arisen relating to theft, for which Panchayati has taken place. Counsel further submits that there is no any specific allegation against the present petitioners. Counsel further submits that the antecedents of the petitioners are clean and they are in custody since 25.06.2024. Counsel also submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed to them.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that, while the allegation may not be specific against all the accused persons, there is specific allegation against petitioner No. 2 that he caught the deceased, following which all the co-accused persons assaulted the informant's father. Therefore, his role in the commission of the crime is very clear.

6. Learned Counsel for the State opposes the prayer for bail and submits that there is general and omnibus allegation of assault upon the informant's father.



7. Upon specific query of the Court whether the charge has been framed or not. In response, Counsel for the petitioners submits that as per his knowledge charge has not been framed.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate First Class, Motihari, District-East Champaran in connection with Harsidhi P.S. Case No. 296 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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