

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23336 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Ramdit Sao, son of Late Chhotu Sao, Resident of village- Pataringa, P.S.- Sigori, District- Patna
 2. Fagu Sao, Son of Late Shobha Sao, Resident of village- Fatehpur, P.S.- Dulhin Bazar, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Jitendra Kr. Roy 1(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2016 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend arrest in connection with Dulhin Bazar P.S. Case No. 22/16 for offences alleged under Sections 341, 323, 362, 307/34 of the Indian Penal Code.

The allegation is that accused Ajit Kumar had taken Pappu Mahto, brother-in-law of the informant and after some time the informant saw the accused Ajit Kumar and the petitioners come running towards the village from west-north direction. Informant got suspicious that after committing some illegal act with his brother-in-law Pappu Mahto they were fleeing away. He also went towards that direction and saw blood was

oozing out from the mouth and neck of his brother-in-law and he fell down and became unconscious. When informant reached near his brother-in-law he found his tongue and neck cut. Informant has firm faith that petitioner no. 2 along with two others with intention to kill his brother-in-law, called him and injured him causing cut injury.

It has been submitted by the learned counsel for the petitioners that the main accusation is against one Ajit Kumar @ Ajit Sao who happened to be the friend of the injured Pappu Mahto. He submits that the injured Pappu Mahto has stated in his statement that petitioner no. 2, who is father of accused Ajit Kumar along with petitioner no. 1, who is father-in-law of Ajit Kumar had accompanied Ajit Kumar and it was Ajit Kumar who inflicted injury on the said Pappu Mahto. He further submits that the petitioners have no criminal history, as is evident from paragraph 3 of this petition. He submits that there is no involvement of the petitioners and only on the basis of suspicion, the petitioners have been made accused in the aforesaid case.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since no overt act has been

alleged to have been committed by the petitioners, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, 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 Sri Piyush Kumar Srivastava, learned Additional Chief Judicial Magistrate-III, Danapur, Patna, in connection with Dulhin Bazar P.S. Case No. 22/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Rajesh/-

(Nilu Agrawal, J.)

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