

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27442 of 2018**

Arising Out of PS.Case No. -67 Year- 2018 Thana -CHANPATIA District-  
WESTCHAMPARAN(BETTIAH)

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1. Shambhu Soni, son of Sri Late Suraj Sah,  
2. Sabitri Devi, wife of Sri Shambhu Soni,  
3. Rajkishore Soni, son of Sri Shambhu Soni,  
4. Jitendra Soni @ Jitendra @ Pradeep Soni @ Pradeep Kumar, son of Sri Shambu Soni, All residents of Village- Chanpatia, Dhath Chowk, Ward No. 1, P.S.- Chanpatia, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      10-05-2018      Heard the parties.

The petitioners are apprehending their arrest in connection with Canpatia P.S.Case no.67 of 2018 , registered for offences punishable under Sections 302 & 323/34 of the Indian Penal Code.

Allegation against the petitioners as per FIR is of assault to the informant by the petitioner and other accused persons and specific allegation of assault is against Dinesh Soni to the son of informant who later on succumbed to the injuries.

Submission of the learned counsel for the petitioners is that he has been falsely implicated in this case and the allegation of assault against the petitioner is to the informant and not to the deceased.

Heard learned A.P.P. and the learned counsel for the



informant. They have not controverted the fact that the main allegation is against the co-accused of assault to the deceased..

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, West Champaran at Bettiah in connection with Chanpatia P.S.Case No.67 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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