

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31351 of 2020

Arising Out of PS. Case No.-147 Year-2020 Thana- SAHPUR District- Bhojpur

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1. KARAN KUMAR SINGH @ KARAN SINGH S/o Om Prakash Singh @ Prakash Singh R/o village- Sarana, P.S.- Shahpur, District- Bhojpur, Ara
 2. Abhimanu Kumar Singh @ Abhimanu Singh S/o Jairam Singh R/o village- Sarana, P.S.- Shahpur, District- Bhojpur, Ara
 3. Krishna Kumar Singh @ Krishna Singh S/o Jairam Singh R/o village- Sarana, P.S.- Shahpur, District- Bhojpur, Ara

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

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Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh
		Mr. Sada Nand Roy
For the Opposite Party/s	:	Mr. APP
For the Informant	:	Mr. Vivek Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 02-12-2020 Heard Mr. Vikramdeo Singh, learned counsel for

the petitioners and Mr. Vivek Kumar Singh, learned counsel

for the informant.

The State is represented by learned APP.

The petitioners seek bail in connection with

Shahpur P.S. Case No. 147 of 2020 instituted for the

offences under Sections 147, 148, 149, 341, 324, 326, 307

and 379 of the Indian Penal Code.

While playing a game of volleyball, an occurrence



took place in which the petitioners and seven other persons (10 persons in all) are alleged to have assaulted the prosecution side by means of dagger. Three persons are said to have received injuries.

Learned counsel for the informant has drawn the attention of this Court to the fact that the the injuries are on the vital portions of the bodies of the injured persons. It has also been pointed out by learned counsel for the informant that the petitioners have criminal antecedents.

However, on behalf of the petitioners it has been submitted that there is past enmity and the occurrence took place in a flash of temper. Apart from this, it has been stated that ten persons are said to have taken part in the affray and only three persons are found to have been injured on the side of the prosecution party.

A further argument has been advanced on behalf of the petitioners that in the subject F.I.R., there is no reference of any injury on the accused persons, which clearly reflects that the maker of subject F.I.R. has not come with the clean hands. There are injuries on three persons



from the side of the accused persons and one of the accused persons is stated to have been arrested from the hospital. He, therefore, submits that there is case and counter case and the injuries are not such, which would reflect that there was any intention to kill the injured persons.

The petitioners are in custody since 22.05.2020.

Regard being had to the fact that there is counter version of the occurrence and some injuries have been found on the side of the accused persons also, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Shahpur P.S. Case No. 147 of 2020.

(Ashutosh Kumar, J)

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