

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32743 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- MUFFASIL District- Aurangabad

1. KRISHNA SAO S/o Mahendra Sao Resident of Village- Biseni, P.S.- Aurangabad (Muffasil), District- Aurangabad (Bihar).
2. AMIT SAO S/o Vishwanath Sao Resident of Village- Biseni, P.S.- Aurangabad (Muffasil), District- Aurangabad (Bihar).
3. RAHUL SAO S/o Jagnath Sao Resident of Village- Biseni, P.S.- Aurangabad (Muffasil), District- Aurangabad (Bihar).
4. RAVI PAL S/o Yamuna Pal Resident of Village- Biseni, P.S.- Aurangabad (Muffasil), District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2020 Heard Mr. Bhaskar Shankar, learned counsel for the petitioner and Mr. Manoj Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Aurangabad (Muffasil) P.S. Case No. 46 of 2020 registered for the offences punishable under Sections 307, 379, 341, 325, 323, 504, 506, 147 and 149 of the Indian Penal Code 1860.

The allegation against the petitioners as per the First Information Report is that they along with other co-accused persons, altogether 16 in numbers, assaulted family members of



the informant by means of *lathi* and rod.

Learned counsel for the petitioners submits that altogether 17 persons including petitioners are named in the First Information Report and there is no specific allegation of assault upon petitioner Nos. 1 and 3. So far as petitioner No. 2 is concerned, it has been alleged that he along with co-accused Saroj Sao assaulted Shiv Kumar Yadav, husband of the informant, by means of rod on his head, hand and ear whereas petitioner No. 4 allegedly snatched golden chain worth Rs.20,000/- from the informant. Learned counsel further submits that both parties are agnates and there was dispute between them on account of mental (Masoor) crop. There is case and counter case between the parties inasmuch as by the side of the petitioner Muffasil P.S. Case No. 45 of 2020 has been lodged for the incident which has taken place on the same date and time. Learned counsel further submits that from perusal of the injury report of Shiv Kumar Yadav, it would be evident that all the injuries are simple in nature except one injury on his head. Learned counsel also submits that the petitioner is in custody since 13.05.2020 i.e. for about six months.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the



fact that both the parties are agnates and there is case and counter case between them, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular 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 Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No. 46 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

