

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16720 of 2021

Arising Out of PS. Case No.-503 Year-2020 Thana- SONEPUR District- Saran

1. AJIT KUMAR Son of Arun Rai Resident of Village - Nazarmira, Semar Tar, P.S.- Sonepur, District - Saran at Chapra.
2. Sujit Kumar Son of Late Bindu Rai Resident of Village - Nazarmira, Semar Tar, P.S.- Sonepur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

The petitioners seek bail in connection with Sonepur P.S. Case No.503 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code along with section 27 of the Indian Arms Act.

The prosecution case in short is that, when the nephew of



the informant and accused persons were playing ludo, a quarrel took place between them due to which the accused persons started assaulting his nephew by iron rod. On alarm, neighbours assembled there and the accused fled away but after few minutes all of them came at the door of informant raising slogans and two accused fired from country made pistol in the air. When the informant forbade, one Arvind Rai fired from country made pistol which hit on informant's chest and he fell down. Thereafter they fled away and the injured were taken to hospital.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No offence as alleged has ever took place. They have been falsely implicated in this case due to dirty village politics. No incriminating article has been recovered from the conscious physical possession of the petitioners. There is general and omnibus allegation against the petitioners. The specific allegation of assault upon the informant by pistol is against one Arvind Rai. The petitioners have no criminal antecedent and petitioner no.1 and petitioner no.2 have been have been languishing in custody since 28.11.2020 and 15.12.2020 respectively.



Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No.503 of 2020.

(Anjani Kumar Sharan, J)

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