

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23136 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- SANDESH District- Bhojpur

1. Mukesh Singh
2. Jitu Singh both Son Of Ravindra Singh Resident Of Village- Trithkaul, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Neetu Jha, Adv.
For the State	:	Mr. Dr. Mrityunjaya Kr. Gautam, APP
For the Informant	:	Mrs. Aprajita Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-07-2021 Heard learned counsel for the petitioners, informant and learned APP for the State through virtual court proceedings.

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

The petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 448, 341, 323, 325, 324, 326, 307, 354, 380, 504 and 506 of the Indian Penal Code.

When the informant along with his family members were sitting in their house, in the meantime, 10-12 persons entered into his house and started assaulting them. Petitioner no.



2 is alleged to have assaulted with the sword whereas petitioner no. 1 is alleged to have taken away the rifle of the informant. Other co-accused also assaulted them and took away their household articles.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to previous enmity. He submits that though allegation is of taking forcibly service rifle of the informant's son but the same has not been recovered from the possession of the petitioners. He submits that the injury found upon the victim is simple in nature. He further submits that petitioners bears no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 14.09.2020.

However, learned counsel for the informant and State oppose the prayer for bail submitting that petitioners took away the licensed rifle of the son of the informant, who works in the Army. He submits that looted rifle has not recovered till date.

Considering the facts and circumstances of the case and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Sandesh P.S. Case No. 206 of 2020, subject to the condition that bail bond of the petitioners shall be accepted after verification of the criminal antecedent and if petitioners have any criminal antecedent, they will not be released on bail.

(Anjani Kumar Sharan, J)

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