

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27324 of 2021

Arising Out of PS. Case No.-293 Year-2020 Thana- SIRDALA District- Nawada

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1. Sanjeewan Kumar @ Sanoj Kumar S/O Pramod Kumar R/O Village Shekhabara Under Sirdala (Maskaur) Police Station, District-Nawada.
 2. Kamlesh Kumar S/O Mathura Prasad R/O Village Shekhabara Under Sirdala (Maskaur) Police Station, District-Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Sirdalla (Meskaur) P.S. Case No. 293 of 2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 504, 506, 325 and 307 of the Indian Penal Code and later on Section 302 of the Indian Penal was added.

Learned counsel for the petitioners, at the outset, submits that the petitioners are in custody since 22.12.2020 and 13.01.2021 respectively, charge-sheet has been submitted in the case and they are persons with clean antecedent.

Learned counsel for the petitioners submits that from



bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that the petitioners along with other accused persons, 13 in number, assaulted the informant, his father and other family members due to which father of the informant died during the course of treatment and other family members also sustained injuries.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case due to previous dispute between the parties and both the parties are co-villagers and neighbours. Further, there is a case and counter-case between the parties i.e. Sirdala P.S. Case No. 294 of 2020 which was lodged by co-accused Birendra Kumar.

Learned counsel further submits that specific allegation of assault is upon co-accused Birendra Kumar who assaulted the father of the informant by means of *khanti* on his head. It is further submitted that co-accused Mathura Prasad has been granted bail by this Court vide order dated 20.02.2021 in Cr. Misc. 40184 of 2020.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 22.12.2020 and 13.01.2021 respectively, charge-sheet has



been submitted in the case and the co-accused has been granted bail, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nawada in connection with Sirdalla (Meskaur) P.S. Case No. 293 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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