

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39918 of 2022

Arising Out of PS. Case No.-240 Year-2022 Thana- HISUWA District- Nawada

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1. KUNDAN KUMAR Son of Surendra Singh Resident of village - Latawar, P.S.- Hisua, Dist.- Nawada.
 2. Saurav Kumar Son of Surendra Singh Resident of village - Latawar, P.S.- Hisua, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-09-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

Supplementary Affidavit as regard to correction in
address of both the petitioners, in cause title, has been filed by
learned counsel for the petitioners, during course of day, before
this Court, same has been taken on record.

The petitioners seek bail in connection with Hisua P.S.
Case No. 240 of 2022 registered for the offence under Sections
147, 148, 149, 341, 323, 353, 504 and 506 of the Indian Penal
Code.



The accused/petitioners are named in the F.I.R. and are in custody since 29.05.2022.

The allegation against the petitioners is to deter police personnels, while discharging their official duty, where a raid was planned to arrest peoples involved in illegal sand mining.

Learned counsel appearing on behalf of the petitioners submitted that allegation against both above-named petitioners appears very much general and omnibus in nature. It is further submitted that no overt act is attributed specifically against these petitioners. It is also pointed out that these petitioners are involved in two criminal cases, in which, they are on bail and due to said criminal antecedents only, these petitioners have been falsely implicated in the present case also. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegations raised against both the petitioners appears very much general and omnibus coupled with the fact that charge-sheet has already been submitted, let both the petitioners,



above named, are directed to be released on bail in connection with Hisua P.S. Case No. 240 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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