

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5482 of 2023

Arising Out of PS. Case No.-412 Year-2022 Thana- KHAIRA District- Saran

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1. CHANDAN SAH @ CHANDAN KUMAR Son of Kanhaiya Sah R/v-
Banni, P.S.- Khaira (Nagra O.P.), District- Saran
 2. VISHAL KUMAR @ VISHAL SAH Son of Rup Narayan Sah @ Roop
Narayan Sah R/v- Banni, P.S.- Khaira (Nagra O.P.), District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 147, 149, 323, 324, 307
and 302 of the Indian Penal Code.

As per prosecution case, 15-20 unknown persons
brutally assaulted the son of the informant namely, Deepak
Kumar @ Deepu due to which he succumbed to injury and later
on died.

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case. They
have committed no offence. He submitted that petitioners are



not named in the FIR. There is general and omnibus allegation against the petitioners. From the perusal of the FIR, it transpires that there is specific overt act of assaulting against co-accused Chandan Kumar Paswan. He submitted that the name of the petitioners appeared in this case only on the basis of suspicion, no any specific overt act alleged against the petitioners. They are languishing in judicial custody since 15.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Khaira P.S. Case No. 412 of 2022.

(Sunil Kumar Panwar, J)

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