

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8129 of 2023

Arising Out of PS. Case No.-190 Year-2022 Thana- JAMHOR District- Aurangabad

1. Saguni Pal Son Of Late Sukhdeo Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad
2. Vikram Pal Son Of Late Sukhdeo Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad
3. Surendra Pal Son Of Keshwar Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad
4. Soharai Pal Son Of Late Lakhan Narayan Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad
5. Pankaj Pal Son Of Surendra Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad
6. Sonajhari Devi Wife Of Surendra Pal R/O Vill.- Batawa, P.S.- Jamhore, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Jamhore P.S. Case No. 190 of 2022 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 of the Indian Penal Code.

As per prosecution case, the informant alleged that when his uncles namely, Jitu Pal & Bilash Pal went to graze their goats, meanwhile the petitioners along with other co-



accused persons armed with various weapons came and started assaulting with intention to kill them. As a result of assault, both uncles of the informant sustained injuries and they were taken to hospital for treatment. During treatment, one of the injured namely, Bilash Pal succumbed to injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Both the parties are agnates and a dispute in respect of land is going on between them due to which these petitioners have falsely been implicated in this case. Although these petitioners are named in the FIR but no specific overt act of assaulting is attributed against them. From perusal of FIR as well as case diary, it appears that twelve persons are alleged to have assaulted the uncles of the informant but the deceased sustained five injuries whereas the injured Jitu Pal sustained four injuries. It is further submitted that the petitioners are languishing in judicial custody since 22.7.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that these petitioners have assaulted the informant's uncle due to which one Bilash Pal succumbed to injury.



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 released on bail in connection with Jamhore P.S. Case No. 190 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Aurangabad.

(Sunil Kumar Panwar, J)

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