

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8725 of 2023

Arising Out of PS. Case No.-156 Year-2015 Thana- RUPAULI District- Purnia

1. SOHRAB @ SOHRABHA MIYA SON OF LATE CHULHAY MIYA @ MD. CHULHAY R/O VILLAGE- TURKI, SHEIKH PURA, P.S.- BHAWANIPUR, DISTRICT- PURNEA
2. SANJAY RISHI SON OF MUNESHWAR RISHI R/O VILLAGE- TURKI, SHEIKH PURA, P.S.- BHAWANIPUR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate.
For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the parties concerned.

Petitioners seek regular bail in connection with Rupauli P.S. Case No. 156 of 2015 dated 3.9.2015 registered for the offence punishable under Section 395 of the Indian Penal Code 1860 and Section 27 of the Arms Act.

As per the First Information Report, altogether four named and one unknown miscreants entered into the house of the informant and enquired about his two sons. It has further been alleged that when the informant refused to disclose the whereabouts of his sons, they entered into the courtyard of the house, assaulted the sons of the informant, snatched 30,000/- rupees from the possession of his sons and also fired upon the



sons of the informant which hit near their stomach.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to village politics. Learned counsel further submits that the petitioner No. 1 is named in the First Information Report and name of petitioner No. 2 has transpired on the basis of confessional statement made by co-accused Osho Rishi. Petitioners are in custody since 27.08.2022 and 6.9.2022 respectively. He next submits that similarly situated co-accused persons namely, Gulzar and Osho Rishi have been granted bail by co-ordinate Benches of this Court in Cr. Misc. 73204 of 2022 and 33304 of 2016 . No material has come during the course of investigation regarding gun shot injury caused to the informant's son. The injury report has been annexed as Annexure-2 to this application.

Regards being had to the submission made by the parties, taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court, no gun shot injuries have been found on the person of the sons of the informant, the petitioners are in custody since 27.8.2022, 6.9.2022 respectively and charge sheet has already been



submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Rupauli P.S. Case No. 156 of 2015.

(Anil Kumar Sinha, J)

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