

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27310 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. SAKALDIP DAS @ SAKALDEEP KUMAR DAS @ SAKALDEEP DAS
SON OF PRADEEP DAS RESIDENT OF VILLAGE- GANGAULIYA, PS-
SARAIYA, DISTT- MUZAFFARPUR BIHAR
2. CHANDRADIP DAS @ CHANDRADEEP DAS SON OF PRADEEP DAS
RESIDENT OF VILLAGE- GANGAULIYA, PS- SARAIYA, DISTT-
MUZAFFARPUR BIHAR
3. RANJIT KUMAR @ RANJEET KUMAR SON OF PRADEEP DAS
RESIDENT OF VILLAGE- GANGAULIYA, PS- SARAIYA, DISTT-
MUZAFFARPUR BIHAR

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Upendra Kumar Chaubey, Advocate
For the State	:	Mr. Rabindra Kumar , Addl. Public Prosecutor
For the Informant	:	Mr. Hemant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 447, 341,
323, 307, 354, 504, 34 of the Indian Penal Code and later on
302 I.P.C.

As per the prosecution case, all the accused persons
entered the house of the informant and tried to kidnap his



daughter and when family members opposed, one co-accused Dilip Das gave lathi blow on the head of son of informant, whereafter, Anil Das pierced screw driver near his eyes causing grievous injury to him.

It is submitted that these petitioners and informant are close neighbour and due to enmity and village politics they have been made accused in this case. The specific allegation of assault is against co-accused namely Dilip Das and Anil Das. There is 10 days delay in lodging the F.I.R for which there is no plausible explanation which itself creates doubt over the prosecution case. Similarly situated co-accused persons have already granted bail by this Court vide order dated 20.01.2023 in Cr. Misc. No. 54510 of 2022.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate 4th West, Muzaffarpur in connection with Saraiya P.S. Case No 265 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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