

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41445 of 2023

Arising Out of PS. Case No.-233 Year-2022 Thana- KONCH District- Gaya

1. Upendra Das Son Of Late Ramdhari Das @ Late Ramdhani Das Resident Of Village - Sarbahada, P.S.- Konch, District - Gaya.
2. Ashok Das Son of Upendra Das Resident of Village - Sarbahada, P.S.- Konch, District - Gaya.
3. Papu Das @ Pappu Das Son of Upendra Das Resident of Village - Sarbahada, P.S.- Konch, District - Gaya.
4. Dhananjay Das Son of Sikandar Das Resident of Village - Sarbahada, P.S.- Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 341, 323, 307, 354(B), 504, 506/34 of the Indian Penal Code. Later on, Section 302 I.P.C was also added.

As per the prosecution case, the informant states that the accused persons including the petitioners



herein came variously armed, entered into the house of the informant and assaulted the members of the family of the informant causing serious injuries. Subsequently, during the course of treatment, one of the injured died.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. After one month of the occurrence, the victim died. There is old enmity between the informant and the petitioners' side. The petitioners are languishing in custody since 01.02.2023 and 25.12.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 25.08.2023 passed in Cr. Misc. No. 54514 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of



the petitioners.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Konch P.S. Case No. 233 of 2022.

(Sunil Kumar Panwar, J)

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