

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44906 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- DAUDNAGAR District- Aurangabad

SUMIT KUMAR BHARTI SON OF RAJ KUMAR TANTI @ RAJ KUMAR
RESIDENT OF VILLAGE- KOIRI TOLA, WARD NO. 2, PS-
DAUDNAGAR, DISTT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 45240 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- DAUDNAGAR District- Aurangabad

SANDEEP KUMAR @ MANTU KUMAR S/ RAJ KUMAR TANTI @ RAJ
KUMAR R/O VILLAGE/ MOHALLA- KOIRI TOLA WARD NO. 2, PS.
DAUDNAGAR, DIST. AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 47118 of 2023

Arising Out of PS. Case No.-228 Year-2023 Thana- DAUDNAGAR District- Aurangabad

MANOJ KUMAR Son of Krishna Prasad Resident of village - ward no 21,
Kasera Toli, P.S. - Daudnagar, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 44906 of 2023)
For the Petitioner/s : Mr.Ranjit Kumar, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.
Mr. Sunil Kumar Dubey, Adv.
Mr. Suraj Kumar, Adv.
(In CRIMINAL MISCELLANEOUS No. 45240 of 2023)
For the Petitioner/s : Mr.Ranjit Kumar, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.
Mr. Sunil Kumar Dubey, Adv.
Mr. Suraj Kumar, Adv.



(In CRIMINAL MISCELLANEOUS No. 47118 of 2023)

For the Petitioner/s : Mr.Lovekush Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP.

Mr. Sunil Kumar Dubey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-08-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Heard the parties.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 120(B), 302, 504, 506 of the Indian Penal Code.

4. Allegedly, all the accused persons along with 10 unidentified persons came at the house of the informant and started abusing and assaulted her and her family members. All the accused persons forcibly entered inside the house of the informant and caused head injury to the informant's sons, namely, Ravi Kumar and Mantu Kumar. Co-accused Rajendra Prasand Tanti assaulted the informant's husband with iron rod on his head due to which he became unconscious and was carried to PHC where doctor declared him dead.

5. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against co-accused Rajendra Prasad Tanti that he assaulted the informant's husband with iron rod due to which he died. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submitted that the police has filed charge sheet and during the investigation, the allegations levelled against the petitioners were found true.

7. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Daudnagar P.S. Case No. 228 of 2023, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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