

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50105 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- BARHIYA District- Lakhisarai

1. Amit Kumar Son Of Ram Ishwar Singh Resident Of Barahiya, Ward No. 9, Police Station-Barahiya, District-Lakhisarai
2. Ram Balak Singh @ Gongu Singh @ Gongu Sardar Son Of Late Kamo Singh Resident Of Barahiya, Ward No. 9, Police Station-Barahiya, District-Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-08-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Barahiya P.S. Case No. 134 of 2023 dated 09.06.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 307, 379, 506 and 504 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons along with 4-5 unknown persons are alleged



to have blocked the pathway of the informant and his brother and started abusing. Thereafter, the co-accused Sumit Kumar assaulted both of them with bamboo stick and Amit Kumar assaulted the informant and his brother with iron rod. Later on, Ram Balak Singh and the co-accused persons also assaulted them with stones and other weapons causing injury to the informant's brother. In the meantime, the co-accused persons Vandana Kumari, Choti Kumar and Nitu Kumari snatched golden chains and a mobile phone from them and they were taken to hospital for treatment.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Learned counsel further submitted that the injury is simple in nature which is caused by hard and blunt substance. There is case and counter case between the parties. The Petitioner No. 1 is accused in four other criminal cases whereas the Petitioner No. 2 is accused in six other criminal cases as stated in para 3 of the bail petition. The petitioners are in custody since 10.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances



of the case as well as the period of custody and the injury being simple in nature, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Barahiya P.S. Case No. 134 of 2023, with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be canceled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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