

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53938 of 2022

Arising Out of PS. Case No.-300 Year-2022 Thana- BANIAPUR District- Saran

1. SURAJ SINGH Son of Jang Bahadur Singh R/V- Pithaury, P.S- Baniapur, Dist- Saran
2. Gudiya Devi Wife of Sudarsan Singh R/V- Pithaury, P.S- Baniapur, Dist- Saran
3. Abhimanu Singh @ Manu Singh Son of Suraj Singh R/V- Pithaury, P.S- Baniapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Baniyapur P.S. Case No. 300 of 2022 registered for the offence under Sections 341, 323, 302/34 of the Indian Penal Code.

As per prosecution case, when the informant along with his family members were at their house, in the meantime, the accused persons including these petitioners came there and started assaulting them. The co-accused Jitendra Singh having *barchi* in his hand pierced in the left side of the chest of informant's brother namely, Dhananjay Singh with intention to



kill him and due to which he sustained injury thereafter he was taken to hospital. The brother of the informant was died during course of treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Both parties have litigating term since long and due to which the petitioners have falsely been made accused in this present case. The petitioner nos. 1 & 3 are to be alleged that they only caught hold to the deceased but the specific allegation of assaulting by means of *Barchi* to the deceased Dhananjay Singh, is against co-accused namely, Jitendra Singh. Learned counsel further submits in respect of petitioner no.2 that there is no any specific overt-act against her. The petitioner no.1 is languishing in judicial custody since 17.6.2022 and petitioner nos. 2 & 3 are languishing in judicial custody since 13.6.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with



Baniyapur P.S. Case No. 300 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra.

(Sunil Kumar Panwar, J)

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