

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60401 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- SUPAUL District- Supaul

-
1. Dileep Sah, aged about 33 years, Male, son of late Mahendra Sah,
 2. Sonu Kumar, aged about 30 years, Male, son of Yogi Sah,
 3. Gagan @ Arvind Sah @ Arvind Kumar Sah, aged about 28 years, Male, son of Kapleshwar Sah.
All resident of village- Sundarpur, Ward No.2, P.S.- Supaul, District- Supaul
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Supaul PS Case No.292 of 2023 dated 23.04.2023, instituted
under Sections 147, 148, 149, 448, 504, 323, 324, 307, 427, 506
of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence when the informant was coming to his door
while driving his tractor, co-accused, Mani Kumar, obstructed
the road by putting his bicycle on the road. When the informant
tried to remove the bicycle from the road then the accused
persons started abusing him but the matter was pacified by the



local people. It is further alleged that at about 7.00 PM, the accused persons named in the FIR as well as 2-3 unknown persons variously armed with deadly weapon came to the door of the informant and started abusing him and when the informant's father objected co-accused, Yogi Sah, ordered the accused persons to kill him, upon which, co-accused, Manni Kumar, assaulted him on his head by means of iron rod and the petitioners also assaulted on his head by means of lathi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submitted that there is allegation of assault by four persons on the head of Asheshwar Sah, but the injury report of Asheshwar Sah (Anneuxre-2) shows that he sustained only two injuries and the nature of injury was simple. It is further submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, in Supaul PS Case No.292 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

