

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64107 of 2023

Arising Out of PS. Case No.-160 Year-2023 Thana- SANDESH District- Bhojpur

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1. Sanjeet Ram @ Sanjeet Kumar Son Of Vakil Ram @ Vakil Prasad Resident Of Village - Saripur, P.S. - Sandesh, District - Bhojpur
 2. Lalu Ram @ Lallu Ram @ Vikash Kumar Sonof Sanjeet Ram @ Sanjeet Kumar Resident Of Village - Saripur, P.S. - Sandesh, District - Bhojpur
 3. Shani Ram @ Shanni Ram @ Shanni Kumar Son Of Sanjeet Ram @ Sanjeet Kumar Resident Of Village - Saripur, P.S. - Sandesh, District - Bhojpur
 4. Mandal Ram @ Saroj Kumar Mandal Son Of Sanjeet Ram @ Sanjeet Kumar Resident Of Village - Saripur, P.S. - Sandesh, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-10-2023 Heard Mr. Shiv Prasad Gupta, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioners submits that during the pendency of the present application, the petitioner no. 1 has already been arrested and as such he is not pressing the present application on his behalf.

3. The petitioner nos. 2, 3 & 4 apprehend their arrest in connection with Sandesh P.S. Case No. 160 of 2023,



registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

4. Allegedly while the nephew of the informant was returning from the sand Ghat, the co-accused Sanjeet Ram asked him to load the materials over his Tractor, which was refused by him, whereupon all the accused persons including the petitioner assaulted him by *lathi* and *rod* mercilessly and fled away.

5. Learned counsel appearing on behalf of the petitioners submits that there is omnibus nature of allegation against all the four accused petitioners and it has not been disclosed as to by which weapon the injured was assaulted. Moreover, the prosecution case also does not corroborate by the injury report, wherein only one injury has been found over the head of the injured. He next submits that all the persons of both the sides are villagers and moreover, the petitioners have fair antecedents. He lastly submits that one of the petitioners, namely, Shanni Kumar is a handicapped person and in support of his submission, a photocopy of the certificate has been brought on record.

6. On the other hand, learned counsel for the State opposes the bail application and submits that the injured has sustained grievous injury over his head.



7. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fair antecedents of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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, Bhojpur at Ara in connection with Sandesh P.S. Case No. 160 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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