

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67814 of 2023**

Arising Out of PS. Case No.-169 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. Santosh Sah Son Of Viro Sah Resident Of Village- Alampur, Ps- Bibhutipur, Samastipur, Bihar
2. Raju Giri Son Of Ashok Giri Resident Of Village- Alampur, Ps- Bibhutipur, Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Piyush Kumar Pandey  
For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      31-10-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners have prayed for grant of bail in connection with Bibhutipur P.S. Case No. 169 of 2023 registered under sections 341, 323, 307, 354A, 447, 448, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners along with other co-accused persons is that they assaulted the informant along with one other person of the informant due to which they sustained injuries. It is further alleged that on next day, they assaulted the



informant's husband as well and petitioner No.2 made firing but did not hit anyone.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous enmity. There is delay in lodging the FIR without explaining the delay. . The only allegation against the petitioners is that they assaulted the informant's husband. The firing made by the petitioner No.2 did not hit anyone. Nothing incriminating article has been recovered from their conscious possession. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 22.07.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bibhutipur P.S. Case No. 169 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the learned S.D.J.M., Rosera,  
Samastipur.

(Sunil Kumar Panwar, J)

Shubham/-

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