

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79015 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- MORKAHI District- Khagaria

1. Sulen Sada Son Of Harilal Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
2. Turanti Sada Son Of Bhagwat Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
3. Sanjay Sada Son Of Janardan Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
4. Ranjeet Sada Son Of Late Faudar Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
5. Tilo Sada Son Of Sukhdeo Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
6. Baijnath Sada Son Of Sukhdeo Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
7. Nanda Sada Son Of Manohar Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
8. Manohar Sada Son Of Jagdish Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
9. Bangal Sada Son Of Late Sattan Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
10. Karelal Sada Son Of Shubhuk Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
11. Chano Devi Wife Of Janardan Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria
12. Manjula Devi Wife Of Arun Sada R/O Vill - Bochghaska, P.S. - Morkahi, Distt. - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard Mr Ranjeet Kumar Singh, learned counsel

for the petitioners and Mr. Dilip Kumar No.1, learned APP for

the State.



2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 384, 34 and 307 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. As per the prosecution case, all the named accused persons along with 10-20 unknown persons came at the land of the informant and started abusing the informant and stopped him to cut the wheat crops and demanded Rs.50,000/- as ransom from him. Thereafter, all the accused persons assaulted the informant. In the meantime, accused persons fired upon the victim due to which the victim received injury on his right hand.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is no specific overt act against the petitioner nos.3, 4, 5, 6, 7, 9, 10, 11 & 12. He further submits that there is case and counter case between the parties. He further submits that petitioner no. has got three criminal antecedents and rest of the petitioner have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.



6. Considering the aforesaid facts and circumstances there is no specific overt act against the petitioner nos.3, 4, 5, 6, 7, 9, 10, 11 & 12, let the petitioner nos.3, 4, 5, 6, 7, 9, 10, 11 & 12, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Morkahi P.S. Case No.30 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Insofar as petitioner nos.1, 2 & 8 are concerned there is specific allegation against them to fire upon the victim, I am not inclined to enlarge the petitioner nos. 1, 2 & 8 on bail in connection with Morkahi P.S. Case No. 30 of 2023. Accordingly, their prayer for anticipatory bail is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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