

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73136 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- DAWATH District- Rohtas

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1. Chandan Kumar @ Chandan Kumar Sharma Son Of Shivdayal Sharma R/O Village- Bahuara, P.S.- Dawath, District- Rohtas
 2. Niranjana Kumar Sharma @ Niranjana Sharma @ Niranjana Kumar Son Of Shivdayal Sharma R/O Village- Bahuara, P.S.- Dawath, District- Rohtas

.. ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-04-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with Dawath P.S Case No. 76 of 2021 dated 02.06.2021 registered for the offences punishable under sections 341, 323, 354B, 147, 148, 149, 307, 379 and 302 of the Indian Penal Code.

As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted the husband of



the informant causing severe injuries and was taken to hospital in an unconscious state.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Learned counsel further submitted that occurrence took place on 01.06.2021 whereas written report was submitted on 02.06.2021 without giving any explanation of delay. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 10.05.2022 passed in Cr. Misc. No. 62706 of 2021. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 02.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that her husband died during treatment.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sasaram, Rohtas in S.Tr. No. 488 of 2022 in



connection with Dawath P.S. Case No. 76 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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