

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75184 of 2022

Arising Out of PS. Case No.-665 Year-2021 Thana- SONEPUR District- Saran

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1. Bholu Kumar @ Vikash Kumar Son Of Virendra Prasad Ray R/O Vill.-
Pahleja Shahpur Diyara, P.S.- Sonpur, Distt.- Saran
 2. Jiwat Kumar @ Sanjit Kumar Son Of Bhushan Rai R/O Vill.- Pahleja
Shahpur Diyara, P.S.- Sonpur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Sonpur P.S. Case No. 665 of 2021 registered under sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the allegation in the F.I.R., when the informant and his son were at their tea shop then co-accused persons including this petitioners came to their shop and they threatened them to close their shop. One co-accused person, namely, Lalu Rai instigated and assaulted them. After that, one Arun called some other accused persons came, all of them having knife,



katta and Iron rod in their hands and surrounded the son of the informant and thereafter the co-accused, namely, Sonu Kumar assaulted him with knife causing excessive bleeding due to which he succumbed to injury during treatment. It is further alleged that some other 10-15 accused persons committed loot at their shop.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to village politics. The petitioners are not named in F.I.R. rather their name came into light in this case on the basis of confessional statement of other co-accused person, namely, Sonu Thakur@ Suraj before the police. It is further submitted that during the course of investigation, there is no specific allegation has been levelled against the petitioners rather the specific allegation of assault is against other co-accused person. They have no concern with the alleged offence and nothing has been recovered from their conscious possession. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 23.02.2023 in Cr. Misc. No. 24282 of 2022. The petitioners are languishing in judicial custody since 02.11.2022.



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 Sonpur P.S. Case No. 665 of 2021 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 Chief Judicial Magistrate, Chapra.

(Sunil Kumar Panwar, J)

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