

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22335 of 2024**

Arising Out of PS. Case No.-263 Year-2023 Thana- MAHARAJGANJ District- Siwan

Tinku Ram Son of Harikishore Ram Resident of Village- Pateri, P.S.-
Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The State Of Bihar Advocate general Bihar Patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6925 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- MAHARAJGANJ District- Siwan

Anil Gond S/o Khedaru Gond @ Khedan Goand @ Khedan Goand @
Khedhaha R/o Vill - Pateri, P.S. - Maharajganj, Dist. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 22335 of 2024)
For the Petitioner/s : Mr.Kumari Anupam
For the Opposite Party/s : Mr.Satyendra Narayan Singh
(In CRIMINAL MISCELLANEOUS No. 6925 of 2024)
For the Petitioner/s : Mr.Kumari Anupam
For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioners and Sri
Chaubey Jawahar learned APP for the State.

2. The petitioners seek bail in connection with
Maharajganj P.S. Case No. 263 of 2023 instituted for the offence
under Sections 147, 49, 341, 323, 324, 307, 302, 504, 506, 120B



of the Indian Penal Code.

3. As per prosecution case, the petitioners along with other co-accused persons armed with deadly weapons reached at the house of the informant, thereafter, seven accused persons started assaulting the grandson of the informant by means of knife and sword, as a result of which his back bone broke and blood started oozing from his stomach. When Shashi Soni and Mantu Soni came to rescue then the petitioners assaulted them by means of sword.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 24.09.2023. Petitioners bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioners have been falsely implicated in the present case due to village politics. The allegation against the petitioners is of assaulting to Mantu Soni and Shashi Soni, who have been examined by the doctor and the injury is found to be simple in nature. There is no specific allegation levelled against the petitioners rather specific allegation is levelled against other co-accused person, namely, Vishal Patel who assaulted by knife and sword on the back of the deceased. Charge-sheet has



already been submitted in this case. Similarly situated co-accused person has already been granted bail by this Court by order dated 15.02.2024 passed in Cr. Misc. No. 5986 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners as well as claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maharajganj P.S. Case No. 263 of 2023.

(Rudra Prakash Mishra, J)

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