

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15160 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

1. Mithun Kumar @ Mritunjay Kumar Son Of Sri Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
2. Vinay Kumar @ Vinay Sah Son Of Sri Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
3. Binod Sah @ Binod Kumar Sah Son Of Sri Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
4. Subodh Sah @ Subodh Kumar Son Of Sri Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
5. Pramod Sah @ Pramod Kumar Son Of Sri Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
6. Munna Kumar @ Munna Kumar Sah Son Of Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
7. Dharmendra Sah @ Dharmendra Kumar Son Of Shivrath Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran
8. Shivrath Sah Son Of Ramnagina Sah Resident Of Village - Awadhpora, Kumhar Toli, P.S. - Chapra Mufassil, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-03-2024 Heard Mr. Bishwajeet Singh, learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chapra Mufassil P.S. Case No. 161 of 2022, registered for the offences punishable under



Sections 341, 323, 324, 326, 307, 504, 354-B, 34 of the Indian Penal Code.

3. The allegation against the petitioners and other accused persons is that they have assaulted the informant, his parents and the younger brother with sword, legs and fists and they have also snatched their valuables.

4. It is submitted on behalf of the petitioners that the occurrence is said to have taken place on 17.10.2021 but initially the complaint case was filed on 09.12.2021 without assigning any reason for delay which complaint case, later on, was sent to the concerned police station under Section 156(3) of the Cr.P.C. where the present FIR has been instituted. Learned counsel further contended that so far the injuries are concerned, all have been found to be simple in nature. In support of the aforesaid submission, injury report has been brought on record and marked as Annexure-P/2 series. Further submission has been made that the alleged occurrence, as per the narratives of the FIR, has taken place on a trifle and moreover, the petitioners have absolutely fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application.



6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the nature of injury, coupled with the fair antecedent of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 161 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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