

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16924 of 2024

Arising Out of PS. Case No.-453 Year-2023 Thana- KONCH District- Gaya

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1. Sanju Mistri, Son of Late Nanku Mistri, Resident of Village- Pali P.S.-
Konch District- Gaya
 2. Sarju Mistri, Son of Late Nanku Mistri, Resident of Village- Pali P.S.-
Konch District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Kumar, Advocate Ms. Priya Ranjan, Advocate Mr. Mukesh Kumar, Advocate Ms. Chandni Kumari, Advocate
For the Opposite Party/s	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.
2. The petitioners have preferred this application for grant of regular bail in connection with Konch P.S. Case no. 453 of 2023 registered under sections 307, 341, 323 and 34 of the Indian Penal Code.
3. As per the prosecution case, the informant states that an attempt was made on the life of his brother Pankaj Kumar. He was assaulted by *lathi* and sharp edged weapon and he has sustained several injuries. It is further stated that the five named accused including the two petitioners herein are involved



in this assault.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. From perusal of the FIR it would be evident that the informant is not an eye witness to the occurrence. The petitioners have been falsely implicated for oblique reasons. The allegations are general and omnibus in nature and the petitioners are in custody since 2.10.2023. It is lastly submitted that it appears from reading of the FIR that the learned trial Court in its order dated 16.1.2024 has committed an error of record and it is not the informant who has sustained several injuries but it is the brother of the informant who has sustained injuries.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made, the allegations being general and omnibus in nature, the petitioners being in custody for 5 months since 2.10.2023 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Konch P.S. Case no. 453 of 2023, 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 Additional Chief Judicial Magistrate-VIII, Gaya.

(Partha Sarthy, J)

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