

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23679 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- SAKRA District- Muzaffarpur

1. Rahul Kumar Singh @ Rahul Singh son of Birendra Singh village-
Ramnagar Laxman Nagar Ps- Sakra Dist- Muzaffarpur
2. Vikram Kumar Singh @ Vikash Singh son of Birendra Singh village-
Ramnagar Laxman Nagar Ps- Sakra Dist- Muzaffarpur
3. Birendra Singh son of Kishori Singh village- Ramnagar Laxman Nagar Ps-
Sakra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 01-05-2024 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Sakra P.S. Case No. 425 of 2023, registered on 03.09.2023 for the offences under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the other co-accused persons assaulted the father of the informant with iron rod, spear and *lathi*. When the informant and his mother tried to save him, they were also assaulted. The assailants also took away gold chain and some cash from the informant.

4. Learned counsel appearing on behalf of the

petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The wife of the informant is cousin of the petitioners. The informant and family members drove out the wife of the informant on account of some demands and case under Section 498A and other allied sections of the Indian Penal Code as well as Section 3/4 of the Dowry Prohibition Act has been lodged by the wife of the informant against him. Thereafter, another case *vide* Samastipur P.S. Case No. 268 of 2022 has been lodged by the son-in-law of the petitioner no. 3 against the informant side for kidnapping of his wife and minor children. In order to pressurize the petitioners for compromising the aforesaid, the present false case has been lodged. The injury report of the father of the informant does not show any serious injury. There is only general and omnibus allegations against the petitioners and from the facts of the case, no offence under Sections 307 and 324 of Indian Penal Code is made out against the petitioners who are having clean antecedents.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the

earlier case lodged by the petitioners side and further considering strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-12th, Muzaffarpur in connection with Sakra P.S. Case No. 425 of 2023, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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