

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21249 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- DINARA District- Rohtas

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1. Saroj Kumar Singh @ Saroj Singh Son Of Raghubansh Singh Village -chatar P.S.- Dinara District - Rohtas
 2. Vinod Singh @ Vinod Kumar Singh Son Of Raghubansh Singh Village -chatar P.S.- Dinara District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioners seek regular bail in connection with Sessions Trial No. 844 of 2023 arising out of Dinara P.S. Case No. 334 of 2023 registered for the offence under Sections 341, 323, 324, 504, 506, 147 and 302 of the Indian Penal Code.

3. As per allegation in the FIR, on the basis of written report of the informant Rajvansh Singh against the petitioners and other co-accused person that they have brutally assaulted the informant and his family members causing serious injury to Shankar Singh and Shankar Singh was referred to Varanasi in unconscious state as a result of which the deceased died.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. He further submits that the petitioner No.1 is in custody since 29.08.2023 and petitioner No. 2 is in custody since 02.09.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, case diary, post mortem report and impugned order dated 30.01.2024, it appears that on the basis of written report of the informant, FIR was registered against seven accused persons including the present petitioners. It appears that there is specific allegation against co-accused Ashok Singh causing injury by Rama upon which deceased Shankar Singh died and no specific allegation against the present petitioners of assault upon the deceased Shankar Singh. There is allegation against co-accused Saroj and Manoj of assault upon Rajwansh Singh, Bharat Singh assaulted Prakash Kumar and Vinod Singh assaulted Lalan Singh. On perusal of injury report of Rajwansh Singh, only one injury swelling on right hand below elbow size 4"x 3". On perusal of injury report of Prakash Kumar, it appears that lacerated wound found on the left ankle size 1/2" x 1/4" x 1/4" and abrasion on right parietal region size 1/4" x 1/4" and pain on right elbow, opinion



regarding said injury reserved and on perusal of injury report of injured Lalan Singh, it appears that pain on right shoulder, pain on left wrist and pain on left knee joint.

7. Considering the said injury, aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with Sessions Trial No. 844 of 2023 arising out of Dinara P.S. Case No. 334 of 2023.

(Ramesh Chand Malviya, J)

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