

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26216 of 2024

Arising Out of PS. Case No.-155 Year-2022 Thana- MEHANDIGANJ District- Patna

1. Suraj Kumar son of Ranjeet Kumar Mohalla- Ranipur Upari Gali Ps-
Mehandiganj Dist- patna
2. Raja Kumar son of Ranjeet Kumar Mohalla- Ranipur Upari Gali Ps-
Mehandiganj Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Mehandiganj P.S. Case No. 155/2022 lodged on 03.10.2022
under Sections 323, 341, 447, 307, 379, 354, 504, 506/34 of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against six named and 8-10 unknown accused persons
alleging therein that all the accused persons variously armed
came and assaulted the son of the informant causing serious
injury on his face and nose. When the informant and her family
members came to rescue him, they were also beaten by the
accused persons.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. The petitioners are in custody since 07.11.2023 having no criminal antecedent. There is no specific allegation against the petitioners and the chargesheet has already been filed. It is further submitted that similarly situated co-accused persons have been granted bail by different co-ordinate Benches of this Court vide orders dated 12.06.2023 and 12.03.2024 passed in Criminal Miscellaneous No. 18594/2023 and Criminal Miscellaneous No. 13505 of 2024 respectively. One co-accused has been granted bail by the trial Court itself.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query from the counsel for the petitioners whether the charge has been framed or not, learned counsel for the petitioners submits that the charge has not been framed.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City, Patna, in



connection with Mehandiganj P.S. Case No. 155/2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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