

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28156 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- SONEPUR District- Saran

1. Angad Singh Son of Banarasi Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran
2. Bhagalu Singh @ Salendra Singh @ Bhagelu Singh Son of Banarasi Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran
3. Upendra Singh Son of Late Rameshwar Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran
4. Sanoj Singh @ Sanky Singh Son of Late Asarfi Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran
5. Ranjay Singh @ Ranjay Kumar Son of Awadhesh Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran
6. Banarsi Singh Son of Late Ramswarth Singh Resident of Village- Ramsapur, P.S.-Sonepur (Pahleza O.P.), Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners seek bail in connection with Sonepur P.S. Case No. 179 of 2023 instituted for the offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. Allegation against the petitioners is to have assaulted the informant and his family



members by means of axe, spear, iron rod and fire arms with intention to cause death along with other named accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. The allegation levelled against the petitioners is not specific rather the allegation with regard to assault is general and omnibus in nature. Similarly situated co-accused namely, Upendra Singh has already been granted bail by this Court vide order dated 15.03.2024 passed in Cr. Misc. No. 77061 of 2023. Moreover, petitioner No. 2 is in custody since 04.11.2023 and petitioner No. 1 and 3 to 6 are in custody since 06.12.2023.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 29.02.2024, case diary and injury



report, it appears that on the basis of typed report of the informant Sadhu Singh, F.I.R. registered against 13 accused persons including these petitioners and there is no specific allegation against these petitioners. Several persons were injured in this case but no specific allegation of assault has been attributed against any of the accused persons.

7. Considering the facts and circumstances of the case and submissions made on behalf of the petitioners as well as period of custody of the petitioners, let the above named petitioners be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Sonapur P.S. Case No. 179 of 2023.

8. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it



is made clear that if the charge-sheet has not been submitted then the petitioners shall be released on bail on above conditions and they shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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