

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29378 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- BARHARA District- Bhojpur

1. Ajeet Turha S/O Mahesh Turha @ Lappu Turha R/O Village- Pafarna, P.S- Barhar, Distt.- Bhojpur.
2. Golu Turaha @ Gunnu Turha S/O Mahesh Turha @ Lappu Turha R/O Village- Pafarna, P.S- Barhar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Malti Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Barhara P.S. case No. 45 of 2024 instituted for the offences under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. Prosecution story, in short, is that on the alleged date and time of occurrence, all the accused persons including these petitioners surrounded the informant and when the informant objected then all the accused persons assaulted him. It is further alleged that petitioner no.2 Golu Turha along with other co-accused caught hold of the informant and petitioner no.1 assaulted the informant on his head by means of iron rod.



In the meantime, when the uncle of the informant came to rescue, the accused persons also assaulted him. It is alleged that petitioner no.1 along with other co-accused caught hold the uncle of the informant and petitioner no.2 assaulted him on his head using sharp weapon.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. The allegations against the petitioners are false and concocted. No incriminating article has been recovered from the conscious possession of the petitioners. He further submitted that all the offences alleged against the petitioners are bailable in nature except Section 307 of the Indian Penal Code. He further submitted that there is case and counter-case between the parties. He further submitted that informant sustained lacerated wound on his left parietal region. He further submitted that injury report of the uncle of the informant is not on the record. It has been submitted on behalf of the petitioners that the petitioners are in custody since 27.01.2024 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances



of the case, case and counter-case between the parties, clean antecedent of the petitioners as well as the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Court below/concerned Court in connection with Barhara P.S. case No. 45 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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