

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29325 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- DAWATH District- Rohtas

1. Bhuti Singh @ Saroj Kumar, son of Godhan Singh, Resident of Village-Paramdih, Police Station- Dawath, District- Rohtas at Sasaram
2. Sanjay Singh, son of Sabha Singh, Resident of Village- Paramdih, Police Station- Dawath, District- Rohtas at Sasaram
3. Vijay Singh @ Vijay Kumar, Son of Sabha Singh, Resident of Village-Paramdih, Police Station- Dawath, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Krishna, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Dawath P.S. Case No. 147 of 2023, registered on 19.08.2023 for the offences under Sections 341, 342, 323, 379, 504/34 of the Indian Penal Code and Section 66(E) of the I.T. Act.

3. As per prosecution case, the informant was brutally assaulted by the petitioners and other co-accused persons and a nude video clip of the informant was prepared. Petitioners and other co-accused persons also snatched his mobile phone.

4. Learned counsel appearing on behalf of the



petitioners submits that petitioners are innocent and have been falsely implicated this case. The informant has concealed the real facts and has lodged this false case as the informant was found in an objectionable condition with a local girl which was objected by the villagers and a mob assaulted the informant. There is no specific allegation against the petitioners though the informant has named them in the FIR which was registered a day after the occurrence. Learned counsel further submits that in the rejection order injuries are stated to be simple in nature caused by hard and blunt object. There is no specific allegation against the petitioners for causing those injuries. The petitioners are having clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioners. Learned APP submits that the informant received a number of injuries and the petitioners are FIR named accused persons.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury for which there is no specific allegation against the petitioners and also considering the clean antecedent of the petitioners, let the petitioners, 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 Additional Chief Judicial Magistrate, Bikramganj, Rohtas/concerned court in connection with Dawath P.S. Case No. 147 of 2023, subject to the conditions as 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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