

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32267 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- KHAGAUL District- Patna

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1. Sharwan Kumar @ Sharvan Kumar SON OF DOMAN PASWAN MOHALLA- Badi Badalpura, P.S. - KHAGAUL, DIST- PATNA
 2. RISHI KUMAR S/O DOMAN PASWAN MOHALLA- BADI BADALPURA, P.S.- KHAGAUL, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners is permitted to file supplementary affidavit in course of the day which is kept on record.

3. The petitioners are apprehending their arrest in a case in connection with Khagaul P.S. Case No. 49 of 2024 dated 17.02.2024 registered for the offence/s punishable u/ss 341, 323, 324, 325, 307, 354B and section 34 of the Indian Penal Code.

4. As per the prosecution case, the informant was sitting at her house and her younger brother was playing then Kajal Kumari pushed her brother on the ground and started



abusing. On being protested, the petitioners and the co-accused persons started assaulting the informant with iron rod with intention to kill. When her father came to rescue, all the accused assaulted him causing head injury. The petitioners tried to molest the informant and her sister and threatened to kill them.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is case and counter case between the parties. There is no intention of causing death. There is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners and stated that the injury is stated to be grievous in nature.

7. Considering the aforesaid facts and circumstances of the case and the allegation being general and omnibus, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Danapur, Patna in connection with



Khagaul P.S. Case No. 49 of 2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to cancelled.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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