

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33670 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- CHARPOKHARI District- Bhojpur

1. Manish Kumar Gupta @ Manish Kumar Son of Late Ajay Shah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
2. Surendra Shah Son of Mudrika Shah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
3. Sanjay Sah Son of Dular Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
4. Arjun Sah Son of Mudrika Shah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
5. Bikku Kumar @ Bikki Son of Gyani Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
6. Dharmendra Sah Son of Gyani Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
7. Rahul Kumar @ Rahul Sah Son of Nagar Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
8. Aarti Devi W/O Nagar Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).
9. Jay Kumari Devi Wife of Gyani Sah Resident of Village- Lilari, P.S.- Charpokhari, Dist. Bhojpur(Ara).

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Advocate
For the Opposite Party/s : Mr.Arbind Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 31-07-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. In the present case, the petitioners are

apprehending their arrest in connection with Charpokhari P.S.

Case No. 24 of 2024 registered on 02.02.2024 for the alleged



offences under Sections 147, 323, 504, 506, 307 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons abused and assaulted the informant and allegation against the petitioner no.3 (Sanjay Sah) is that of hitting on the head of the informant with iron rod causing its fracture. Brother of the informant was also assaulted.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence has alleged as ever taken place in the manner as stated in the F.I.R. Though there is allegation against the petitioner no.3 (Sanjay Sah) for hitting the informant on the head by means of iron rod but there is no repetition of blow on the head of the informant. The petitioners have no criminal history. Learned counsel for the petitioners further submits that there are two injuries on the mid parietal region and frontotemporal region of the scalp apart from one abrasion. The injuries are stated to be caused by hard and blunt object.

5. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

6. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the general and omnibus allegation except against petitioner Sanjay Sah and possibility of false accusation, let the petitioners above named, 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Ara, Bhojpur in connection with Charpokhari P.S. Case No. 24 of 2024, subject to the condition 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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