

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37345 of 2024

Arising Out of PS. Case No.-202 Year-2023 Thana- TARARI District- Bhojpur

1. Nandji Singh Son of Suresh Singh Resident of Village- Jethawar ,P.S- Tarari, Dist- Bhojpur
2. Manji Kumar @ Manji Singh Son of Suresh Singh Resident of Village- Jethawar ,P.S- Tarari, Dist- Bhojpur

... .. Petitioners

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Md Ataul Haque, Adv
For the Opposite Party	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Gopal Krishna Nishant, Adv
		Mr. Shubham Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

6 25-09-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Tarari P.S. Case No. 202/2023 dated 23.11.2023 registered for the offence punishable u/s 341, 323, 307 and 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, When the informant's father went to attend the call of nature, the petitioners and the co-accused persons started assaulting him with *lathi* and iron rod causing injury. Thereafter, the informant's father was taken



to hospital where the informant's father succumbed to the injury.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is no eye witness of the alleged occurrence. The petitioner no. 1 is a handicapped person. As per the Post Mortem Report, there is only one injury that is lacerated wound on scalp (parietal bone right side). Learned counsel has further submitted that proper dimension of the injury has not been mentioned in the injury report. The petitioner have clean antecedent as stated at para. 3 of the bail petition. The petitioners are in custody since 25.11.2023.

5. Learned A.P.P. for the State learned counsel for the informant have vehemently opposed the bail petition of the petitioners. As per para. 31 and 32 of the case diary, the independent witnesses have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to 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, Bhojpur at Ara, in connection with Tarari P.S. Case No. 202/2023, with the condition:-



(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 petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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