

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39308 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- PIRO District- Bhojpur

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1. Bishnu Bhagwan Singh @ Bishnu Chandra Singh, Son Of Late Gaya @ Gaya Singh, Village- Jamuon, Ps- Piro, Dist- Bhojpur
 2. Dharichhan Singh, Son Of Late Gaya @ Gaya Singh, Village- Jamuon, Ps- Piro, Dist- Bhojpur
 3. Thakur Birbahadur Singh @ Ramesh @ Thakur Vijay Bahadur Singh, Son Of Dharichhan Singh, Village- Jamuon, Ps- Piro, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2024 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 Piro P.S. Case No. 291 of 2023 registered on 24.06.2023 for the alleged offences under Sections 341, 323, 307, 504 and 379/34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the informant and his son and took away Rs. 5,000/- from the house of the informant.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Though there is allegation of giving 'rami' blow



against petitioner no.1 and petitioner no.3 but there is no injury of any sharp weapons as injury reports of the victims show injury by blunt object and injuries are merely lacerations of superficial size on informant and very small size on son of the informant. There is counter version and daughter of petitioner no.2 has also lodged Piro P.S. Case No. 293 of 2023 against the informant side as the petitioners received injuries in the hands of the informant side. Petitioner nos. 1 and 2 are brothers aged about 60 and 63 years. Learned counsel further submits that from the FIR, it is evident that the occurrence took place for throwing garbage in front of the house of the petitioners and the informant side is the assailant. Petitioners are having clean antecedent.

5. Learned APP opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and also considering the clean antecedent of the petitioners coupled with 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhojpur at Ara/ court concerned in connection with Piro P.S. Case No. 291 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the 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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