

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40600 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- BHELDI District- Saran

1. Chandan Kumar Ram Son Of Chulhai Ram Village- Molnapur, Ps- Bheldi, Dist- Saran
2. Kundan Kumar Ram Son Of Chulhai Ram Village- Molnapur, Ps- Bheldi, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in Bheldi P.S. Case No. 76 of 2023 (G.R. No. 1942 of 2023), instituted for the offences punishable under Sections 447, 323, 324, 307, 354, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioners along with other co-accused persons abused and assaulted the daughter of the informant namely Nita Kumari with an intention to kill her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. There is inordinate delay of four days in lodging the F.I.R. Learned counsel for the petitioner also submitted that specific allegation of assault is against petitioner no. 1 and there is no specific allegation levelled against petitioner no. 2. Learned counsel for the petitioner further submitted that as per the medical reports, the injuries on the body of Nita Kumari is simple in nature. There is case and counter case between the parties. The petitioners are in custody since 28.03.2024 and have got two criminal antecedents in which they are on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bheldi P.S. Case No.



76 of 2023 (G.R. No. 1942 of 2023), subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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