

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44509 of 2024

Arising Out of PS. Case No.-220 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Omkar Nath S/O Ravindra Rai Resident Of Village- Badhupur, P.S.- Mohania, Distt-Kaimur(Bhabhua)
2. Shivam Kumar @ Shivam Rai S/O Jitendra Rai R/O Village-Karamhari, P.S.-Mohania, Distt-Kaimur(Bhabhua)
3. Jitendra Rai S/O Late Kamla Rai R/O Village-Karamhari, P.S.-Mohania, Distt-Kaimur(Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Adv.
For the State	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 10-09-2024 The matter has been heard out of turn on the basis of mentioning slip filed by the petitioner no. 1 as his father died.

2. Today, on 10.09.2024, petitioner no. 1 being the only son of his father he has to participate in the last rituals.

3. This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 341, 323, 325, 307, 379/34 of the Indian Penal Code, registered in connection with Mohaniya P.S. Case No. 220 of 2024.

4. As per prosecution case, when the informant was sat at the rice-mill of Bablu Rai then the petitioners along with others came there and started assaulting the informant due to



which he sustained injuries on his hand and head. The informant further alleged that the accused persons also took cash of Rs. 26,000/- from the informant.

5. The learned counsel for the petitioners has submitted that they have been falsely implicated in this case and have committed no offence. He submitted that there is a case and counter case between the parties and members of both parties have sustained injuries. There is general and omnibus allegation against these petitioners. It is next submitted that it is true that the informant has sustained eleven injuries but all the injuries are simple in nature except injury nos. (ii) and (v) are concerned, these are grievous in nature but not on the vital part of the informant's body. Petitioners having no criminal antecedent and they are in custody since 12.04.2024.

6. Learned APP for the State and learned counsel for the informant have opposed the prayer of bail by submitting that there is fracture of radius and metacarpal bone of the informant.

7. Considering the above facts and circumstances of the case and the allegation is of omnibus in nature, let the petitioners, above-named, 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, Mohaniya, Kaimur in connection with Mohaniya P.S. Case No. 220 of 2024, subject to the condition that the petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the Court.

(Nawneet Kumar Pandey, J)

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