

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47639 of 2024

Arising Out of PS. Case No.-325 Year-2022 Thana- SARAI RANJAN District- Samastipur

1. Bipin Kumar Mahto Son of Ramsubhag Mahto Resident of Village- Musapur, P.S.- Sarairanjan, Ghatho O.P., District- Samastipur
2. Sheel Kumar Rai Son of Jagbali Rai Resident of Village- Musapur, P.S.- Sarairanjan, Ghatho O.P., District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seeks bail in connection with a case registered for the offence punishable u/s 341, 342, 323, 324, 325, 379, 447, 147, 149, 307 of the IPC and Section 27 of Arms Act.

3. As per the prosecution case, petitioners brutally assaulted the informant and his cousin brother by means of several weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated



in this case. There is general and omnibus allegation against the petitioners. Allegation against the petitioner no.1 is that he along with one other accused caught hold Rishikesh Kumar but allegation of assaulting him with farsa is against one Rajnish Kumar Rai. The petitioner no.1 has two criminal antecedents whereas petitioner no.2 has one criminal antecedent and they have been rotting in judicial custody since 16.05.2024.

5. Learned APP for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioner no.2 to fire upon the informant and the injury was found grievous in nature.

6. Considering the facts and circumstances of this case, as there is no specific overt act against the petitioner no.1, the above named petitioner no.1 is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Sarairanjan P.S. Case No.325 of 2022.

7. However, there is specific allegation against the petitioner no.2 to fire upon the informant and the injury was found grievous in nature, therefore, I am not inclined to enlarge him on



bail. The prayer for grant of bail on his behalf is hereby rejected.

8. However, petitioner no.2 is at liberty to renew his prayer for bail after framing of charge.

9. The present bail application is partly allowed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

