

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49647 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- AKBARNAGAR District- Bhagalpur

1. Bhola Das S/O Late Baiju Das @ Bailu Das R/O Morkaha, Harijan Tola, P.S- Akbarnagar, Distt.- Bhagalpur.
2. Narad Das S/O Jogi Das R/O Morkaha, Harijan Tola, P.S- Akbarnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2024 1. Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the
offence punishable under Section 147, 149, 341, 324, 307, 504,
506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and are in custody
since 12.04.2024. It is next submitted that informant alleges that
named accused persons including the petitioners intercepted him
while he was coming back from his field and all the accused
assaulted him and left thinking he is dead, further when he
regained consciousness, he came back home.

4. Learned counsel for the petitioners submits that
petitioners have been falsely implicated in the instant case by the
informant on account of dispute relating to land. It is also



submitted that allegation of assault is not specific rather is general and omnibus in nature. It is next submitted that it absolutely does not stand to reason that had the informant been assaulted in the manner as alleged and would have fallen unconscious whether after regaining consciousness he could have reached home on his own. It is also submitted that the date of occurrence is 12.11.2023 and the informant was examined by the doctor on 13.11.2023, wherein the doctor has opined that the age of injury to be within two hours, which further falsifies the allegation of assault. It is next submitted that charge sheet has been submitted.

5. Learned A.P.P. opposes the prayer for bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, are directed to 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 the learned trial court where the case is pending/successor court in connection with Akbarnagar P.S. Case No.122/2023.

(Satyavrat Verma, J)

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