

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52227 of 2024

Arising Out of PS. Case No.-85 Year-2021 Thana- BAJPATTI District- Sitamarhi

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1. CHHATHU SADA SON OF LATE RAMESHWR SADA R/O- VILLAGE-BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI
 2. PREM SADA SON OF LATE RAMESHWAR SADA R/O- VILLAGE-BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI
 3. RAJU KUMAR SON OF CHHATHU SADA R/O- VILLAGE- BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI
 4. NANDU SADA SON OF LATE RAMESHWAR SADA R/O- VILLAGE-BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI
 5. VIKASH SADA @ VIKASH KUMAR SON F PREM SADA R/O- VILLAGE- BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI
 6. NIRGUN SADA @ NIGUN SADA SON OF NANDU SADA R/O- VILLAGE- BAJITPUR, WARD NO. 10, P.S.- BAJPATTI, DISTT.- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Sessions Trial No. 355 of 2024 arising out of Bajpatti P.S. Case No. 85 of 2021 registered for the offence punishable under Section-302/34 of the Indian Penal Code.

3. As per allegation, the petitioners and other co-



accused persons who are named in the FIR, entered house of the informant and badly assaulted her father-in-law and made him injured. Her father-in-law dies at the spot due to indiscriminate firing.

3. Learned counsel for the petitioners has submitted that the petitioners are innocent having no criminal antecedent and they have falsely been implicated in this case due to admitted land dispute. Further submission is that the present case is counter blast of Bajpatti P.S. Case No. 84 of 2021 which was filed by the petitioners' side against the family members of the informant of the present case. It has also been submitted that there is general and omnibus allegation against the petitioners. There is no allegation of specific overt act against the petitioners. It has also been submitted that on exactly similar footing, some of the co-accused have been granted bail by a coordinate bench of this court by order dated 28-04-2023 passed in Cr. Misc. No. 65481 of 2022.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioners named above, 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 Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Sessions Trial No. 355 of 2024 arising out of Bajpatti P.S. Case No. 85 of 2021 with condition that the petitioners shall cooperate with the trial of the case and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

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