

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55580 of 2024

Arising Out of PS. Case No.-489 Year-2023 Thana- NAUBATPUR District- Patna

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1. Chote Rai @ Rameswar Yadav Son of Late Ghamandi Prasad Village- Sarai, Karanja, P.S.- Naubatpur, District- Patna (Bihar)
 2. Chandan Kumar Son of Chote Rai @ Rameshwar Yadav Village- Sarai, Karanja, P.S.- Naubatpur, District- Patna (Bihar)
 3. Vicky Kumar @ Vikash Kumar @ Vicky Son of Chote Rai @ Rameswar Yadav Village- Sarai, Karanja, P.S.- Naubatpur, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 17-12-2024 Heard learned Advocate for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Naubatpur P.S. Case No. 489 of 2023, registered for the offences punishable under Sections 341, 342, 323, 307, 504, 506 and 34 of the Indian Penal Code.

3. While the informant along with his mother was sitting on their gate, in the meantime, petitioner no. 1 along with some other persons in an inebriated condition came there and started abusing. On protest being made by the mother of the informant, all the accused persons armed with *lathi*, *danda* and



iron rod came there and brutally assaulted the informant and his mother.

4. Learned Advocate for the petitioners contended that there is omnibus nature of allegation against all the persons of causing assault to the mother of the informant. Moreover, the injury sustained to the mother of the informant has been found to be simple in nature and considering this fact the SHO of the Naubatpur P.S. has recommended for submission of the charge sheet under Sections 341, 342, 323, 504, 506/34 of the Indian Penal Code. There is counter version of the present case being Naubatpur P.S. Case No. 490 of 2023 against the informant and others.

5. On the other hand, learned Advocate for the State opposes the bail application and submits that the petitioners have brutally assaulted the mother of the informant and the injury report also corroborates the prosecution case.

6. Regard being had to the submissions made on behalf of the parties and considering the simple nature of injury with omnibus nature of allegation, coupled with the fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Danapur in connection with Naubatpur P.S. Case No. 489 of 2023 subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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