

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.56376 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- CHAUSA District- Madhepura

1. Dinesh Singh Son Of Chaturi Singh @ Chatturi Singh Resident Of Village - Singhia Tola Alias Singhwa Tola, Laualagan, P.S. - Chausa, District - Madhepura
2. Rajesh Singh @ Rajesh Kumar Singh Son Of Shiyaram Singh @ Siyaram Singh Resident Of Village - Singhia Tola Alias Singhwa Tola, Laualagan, P.S. - Chausa, District - Madhepura
3. Sanjay Singh Son Of Shiyaram Singh @ Siyaram Singh Resident Of Village - Singhia Tola Alias Singhwa Tola, Laualagan, P.S. - Chausa, District - Madhepura
4. Navin Singh @ Naveen Kumar Son Of Shiyaram Singh @ Siyaram Singh Resident Of Village - Singhia Tola Alias Singhwa Tola, Laualagan, P.S. - Chausa, District - Madhepura
5. Raghubansh Singh @ Raghuvansh Singh Son Of Chaturi Singh @ Chatturi Singh Resident Of Village - Singhia Tola Alias Singhwa Tola, Laualagan, P.S. - Chausa, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Chausa P.S. Case No. 32 of 2024 registered on 10.02.2024 for the alleged offences under Section 341, 323, 325, 307, 354A, 379, 504 and 34 of the Indian Penal Code.

03. As per prosecution case, petitioners and other co-accused persons, making an unlawful assembly and armed with iron rod and lathi, assaulted the brother, son and mother of the informant causing a number of injuries to them. They also took



away jewellery worth Rs. 2 lakh after entering into the house of the informant.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. For the same occurrence, petitioner no. 1 has lodged Chausa P.S. Case No. 39 of 2024 under Section 307, 354 A, 379 and other minor sections of the Indian Penal Code. There is delay of about two months in lodging the FIR which shows the doubtful nature of the case of the informant. Injury reports of the son and the brother of the informant show quite simple and superficial nature of injuries. Only the injury of mother of the informant is stated to be grievous as it is fracture of right arm but the same is not on vital part of the body and even for causing the said injury, allegation is against two petitioners. A number of persons from the petitioners side have also received injury which remains unexplained. The allegation of taking away cash ornaments is completely false and concocted. In the facts and circumstances, no offences under Section 307 or 379 of the Indian Penal Code is made out against the petitioners and the allegation under Section 354A is merely a super addition. The petitioners are having no criminal antecedents.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the case and its counter version and also considering the simple and superficial nature of injuries and the possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of S.D.J.M., Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 32 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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