

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57458 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- GURARU District- Gaya

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1. Sonal Kumar Singh @ Sonal Kumar S/O Chandra Shekhar Singh @ Chhotu Singh R/O Village- Diha, P.S- Guraru, Distt.- Gaya and At present resides at Main Road Tapakhass, Ward No. 09, Latehar, P.S- Latehar, Distt.- Latehar (Jharkhand).
 2. Rishu Kumar S/O Ashok Singh @ Ashok Kr. Singh(Second) R/O Village- Diha, P.S- Guraru, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Guraru P.S. Case No. 196 of 2023 instituted for the offences under Sections 147, 148, 149, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the accusation against the accused persons including the petitioners is of brutally assaulting the informant's nephew and other family members with intention to kill them.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. The specific allegation assaulting Pankaj Kumar is attributed to co-accused Deepak Kumar, Ayush Kumar and Pankaj Kumar. There is no eye-witness to the alleged occurrence. Learned counsel further submits that from perusal of the injury report of the injured Pankaj Kuymar, it appears that the injuries are simple in nature. Learned counsel further submitted that both parties are *gotiyas* and there is case and counter-case between them. The co-accused persons, namely, Nitish Kumar, Ashutosh Kumar and Asmit Kumar who are similar footing have already been granted bail by this Bench vide order dated 20.07.2024 passed in Cr. Misc. No. 52412 of 2024. It has been submitted on behalf of the petitioners that the petitioner no.1 has only one criminal antecedent whereas petitioner no. 2 has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender before the lower court within a period of six



weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Guraru P.S. Case No. 196 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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