

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60822 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- ARERAJ District- East Champaran

1. Santosh Bhagat @ Santosh Kumar @ Santosh Patel son of Ram Narayan Bhagat Village- Areraj Ganw Ward no. 9 and 10, ps- Areraj, Dist- East Champaran
2. Vishal patel S/o Pradeep Patel Village- Areraj Ganw Ward no. 9 and 10, ps- Areraj, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar Ii, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioners have preferred this application for grant of regular bail in connection with Areraj P.S. Case No. 67 of 2024 dated 16.06.2024 registered for the offences punishable under sections 341, 323, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons came and assaulted the informant with iron rod, knife and lathi. On protest by the informant, the petitioners gave iron rod blow on the head of the informant due to which he fell down.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. As per the injury report of the informant, Chutun Sharma, he sustained lacerated wound of size 1/2"x1/4" x1/4" on the parietal region on the right side and the nature of injury is grievous. The injured, Rupesh Sharma sustained injury which is simple in nature. The present case has been compromised between the parties due to interference of well-wishers of both the families and the compromised petition as annexed at Annexure-P2 to this bail petition. The petitioners have no concern with the alleged offence. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.06.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, in connection with Areraj. P.S. Case No. 67 of 2024, with a condition:-



(i) That the he petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners will liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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