

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64023 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- KORANSARAI District- Buxar

1. Rambyas Sah @ Ram Vyas Sahu @ Byas Sah S/O Late Rampati Sah R/O Village- Kachaienia, P.S- Koran Sarai, Distt.- Buxar.
2. Raj Kumar Sah @ Raj Kumar Sao @ Raj Kumar Sahu S/O Rambyas Sah @ Ram Vyas Sahu @ Byas Sah R/O Village- Kachaienia, P.S- Koran Sarai, Distt.- Buxar.
3. Sanjay Kumar Sah @ Sanjay Kumar Sao @ Sanjay Kumar Sahu S/O Rambyas Sah @ Ram Vyas Sahu @ Byas Sah R/O Village- Kachaienia, P.S- Koran Sarai, Distt.- Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-10-2024 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 Koran Sarai P.S. Case No. 46/2024 dated 16.07.2024 registered for the offence punishable u/s 191(2), 191(3), 190, 126(2), 115(2), 117(2), 118(1), 303(2) of the B.N.S.

3. As per the prosecution case, the petitioners and the co-accused persons armed with various weapons surrounded the informant and others and assaulted them with iron rod and sharp



weapons and the co-accused Sonu Kumar Pandey inflicted 4-5 blows on the informant's head with an iron rod causing injury. Ramkhelawan Pandey was assaulted with *lathi* due to which his left hand and right thigh got injured. Guddu Pandey was assaulted several times with *lathi* on his back. Rohit Pandey was assaulted with iron rod due to which he sustained injury on his head and right hand. Umashanker Pandey was assaulted on his neck with iron rod due to which he fell down, on which Sanjay Kumar Sah snatched gold locket of *Hanuman Ji* worth Rs. 15,000/-, weighing 3 grams from his neck. Vicky Kumar Sah took out country made gun from his waist and started loading it and fired but bullet got misfired. The accused persons intention was to kill them but fortunately their lives were saved and the informant gave information to P.S. in injured condition.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on account of land dispute. There is a case and counter case between the parties. There is general and omnibus allegation against the petitioners. The specific allegation of assault is against the co-accused Sonu Kumar Pandey. As per the injury report, the injuries are simple in nature caused by hard and blunt substance. Learned counsel has



submitted that both the sides sustained injuries. The petitioners have one antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.07.2024.

5. Learned A.P.P. for the State has vehemently 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 Court concerned, Buxar, in connection with Koran Sarai P.S. Case No. 46/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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