

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73632 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- BIRAUL District- Darbhanga

Radha Prasad Sahu S/o- Late Bindeshwari Sahu R/o-Ghorsar, Hanuman Nagar, PS- Biraoul, Distt- Dharbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 73797 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- BIRAUL District- Darbhanga

Anil kumar Sahu @ Anil Prasad S/o Radha Prasad @ Radha Prasad Sahu R/o Vill- Ghorsar, Hanuman Nagar, P.S- Biraoul. Distt -Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73632 of 2024)

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 73797 of 2024)

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are languishing in custody in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged



that on 17.03.2024 when informant was going to his field from his residential home and when he reached in between his residential home and village school then due to previous enmity, accused persons have surrounded him near school and started abusing and assaulting him with fists and slaps. On noise, son of informant came there to rescue his father, then all accused persons have also assaulted him. There is also an allegation on petitioner- Anil Sahu that he has snatched gold *Hanumani* from the neck of Ritesh Kumar Singh (son of informant).

4. Learned counsel for the petitioner submits that from perusal of the FIR it appears that there is general and omnibus allegation against the petitioners, there is no specific allegation. Petitioners, Radha Prasad and Anil Kumar Sahu are in custody since 14.07.2024 and 08.07.2024 respectively. He also submits that there is admitted land dispute between the parties.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Benipur, Darbhanga in connection with Biraul P.S. Case No. 114 of 2024, subject to following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner.

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Prabhakar/-

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