

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75548 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- SANDESH District- Bhojpur

1. Umesh Yadav @ Umesh Kumar Singh Son of Ram Kripal Yadav R/O Village- Khandol, PS- Sandesh, District- Bhojpur
2. Fudena Yadav @ Ramesh Yadav Son of Raja Ram Yadav R/O Village- Khandol, PS- Sandesh, District- Bhojpur
3. Harendra Singh Son of Late Mahendra Singh R/O Village- Khandol, PS- Sandesh, District- Bhojpur
4. Birbal Ram @ Nirmal Ram Son of Late Munichan Ram R/O Village- Khandol, PS- Sandesh, District- Bhojpur
5. Ram Chandra Mahto @ Ram Chandra Singh Son of Late Ram Sundar Mahto R/O Village- Khandol, PS- Sandesh, District- Bhojpur
6. Rajesh Choudhary Son of Late Sitaram Choudhary R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
7. Akshay Choudhary Son of Late Sohrai Choudhary R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
8. Kalam Miya @ Kalam Ansari Son of Late Lal Mohammad Ansari R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
9. Sanjay Singh Son of Late Kashi Singh R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
10. Om Prakash Choudhary Son of Ram Pyar Choudhary R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
11. Dharmendra Choudhary Son of Ram Kishun Choudhary R/O Village- Saraiya, PS- Sandesh, District- Bhojpur
12. Jitendra Choudhary Son of Ram Chhapit Choudhary R/O Village- Saraiya, PS- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Bachan Jee Ojha, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.



2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 379, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant as well as the labourers present at Kaji Chak Balu Ghat brutally by means of *lathi* due to which 12 persons have sustained injuries. Petitioner no.1 fired three bullets from his pistol, but nobody has sustained fire arm injury.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. No any empty cartridge has been found at the place of occurrence. There is no specific allegation of assault against anyone. The injuries sustained by the injured were found simple in nature. It is further submitted that for the alleged occurrence, four cases were lodged including the present one. Learned counsel further submits that petitioners have criminal antecedent as mentioned in para-3 of



this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as four cases were filed for the same occurrence including the present one, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sandesh P.S. Case No. 41 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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