

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75566 of 2024

Arising Out of PS. Case No.-265 Year-2024 Thana- TRIVENIGANJ District- Supaul

1. Lakshman Sardar Son of Chichay Sardar Resident of Village- Mirjawa Ward No. 09, PS- Triveniganj, Dsitric- Supaul
2. Arun Sardar Son of Domi Sardar Resident of Village- Mirjawa Ward No. 09, PS- Triveniganj, Dsitric- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with

Triveniganj P.S. Case No. 265 of 2024 instituted for the

offences under Sections 117(3), 118(2), 352, 115(2),

351(2)/3(5) of the Bhartiya Nayay Sanhita (B.N.S.), 2023.

3. As per prosecution case, the accusation against

the accused persons including the petitioners is of assaulting

the Informant's son due to which he sustained serious

injuries and his left eye was ruptured and the eye became

non-functional.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case due to previous enmity and dirty village party politics. There is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The specific allegation of assault by iron rod upon the Informant's son is on the co-accused Ratan Sardar. There are no independent witness in this case rather the same are interested witnesses. The petitioners have no criminal antecedent and are languishing in judicial custody since 05.07.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the fact that there is no direct allegation of assault against the petitioners as also taking into account the period of custody of the petitioners having no criminal



antecedent, let the petitioners, abovenamed, 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 Court below/concerned Court in connection with Triveniganj P.S. Case No. 265 of 2024.

(Rudra Prakash Mishra, J)

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