

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79414 of 2024

Arising Out of PS. Case No.-495 Year-2024 Thana- SONEPUR District- Saran

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1. Braj Kishor Singh S/o- Late Ram Nath Singh Resident of Villag- Dudhaila PS- Sonpur District- Saran
 2. Sandeep Singh S/o- Sri Braj Kishor Singh Resident of Villag- Dudhaila PS- Sonpur District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yashraj Bardhan, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mr. Rahul Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2024 Heard Mr. Yashraj Bardhan, learned counsel for the petitioners and Mr. Rahul Kumar, representing the informant as also Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners are in judicial custody in connection with Sonpur P.S. Case No. 495 of 2024 for the offence punishable under Sections 341, 323, 324, 325, 307, 452, 504, 506/34 of the Indian Penal Code and section 27 of the Arms Act lodged on 10.06.2024 by the informant, Bhishma Narayan Singh.



3. As per the prosecution story, the informant alleged that while sitting on the door, suddenly the accused persons including the petitioners came and thereafter, the allegation is that the petitioner no.1 repeatedly assaulted, Girija @ Rohit opened fire which resulted into injury in his abdomen. Allegation against Adarsh Singh is of assaulting Kamlesh Singh while Dipu Singh assaulted the informant, Sandeep Singh (petitioner no.2) assaulted with 'lathi' to his cousin brother and Golu Kuamr causing injuries. This led to the FIR.

4. Learned counsel for the petitioners submit that so far as the petitioner no.1 is concerned, omnibus allegation is there and it is not clear to whom he has assaulted though assault by 'lathi' is attributed to Sandeep Singh towards Kanhaiya Singh and Golu.

5. Learned counsel appearing on behalf of the informant on the other hand submits that a perusal of the FIR clearly shows that the petitioner no.1 is being referred to have assaulted the informant, though, they are agnates, due to land dispute have been brutally assaulted and the last submission is that the trial is on and one witness has been examined.

6. Considering the aforesaid submissions put



forward by the parties as also the fact that allegation of assault is attributed to both these petitioners, as per the learned counsel for the informant the trial is on and one witness has been examined, in that background, the bail petition stands rejected.

(Rajiv Roy, J)

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