

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76710 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- BANGAWON District- Saharsa

1. Abhishek Kumar Son of Ranjan kumar @ Ranjan Khan Resident of Village -Parari Ward No 2, PS- Bangaon, District -Saharsa
2. Rajeev Kumar @ Vinay Khan @ Rajeev Son of Raj Kumar Khan Resident of Village -Parari Ward No 2, PS- Bangaon, District -Saharsa
3. Amit Kumar Khan Son of Raj Kumar Khan Resident of Village -Parari Ward No 2, PS- Bangaon, District -Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, 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 Bangaon P.S. Case No. 115 of 2024 instituted for the offences under Sections 126(2), 115(2), 118(1), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, on the alleged date and time of occurrence, all the accused persons including the petitioners armed with weapons surrounded the informant's son and assaulted him due to which he sustained several injuries.



4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that as per injury report, the injuries sustained by the informant's son are simple in nature caused by hard blunt and sharp cut weapon. Learned counsel further submitted that there is counter-case filed by the mother of petitioner no. 3 against the informant and his family members. It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.08.2024. Petitioner nos. 1 and 3 have clean antecedent whereas petitioner no. 2 has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, case and counter-case between the parties, nature of injuries sustained by the informant's son as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Bangaon P.S. Case
No. 115 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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