

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79313 of 2023

Arising Out of PS. Case No.-284 Year-2023 Thana- RAFIGANJ District- Aurangabad

1. Rakesh Singh @ Bulu Singh Son Of Late Sakal Singh R/O Village- Khadwan, P.S.- Rafiganj, Dist.- Aurangabad (Bihar)
2. Sudhir Singh Son Of Late Sakal Singh R/O Village- Khadwan, P.S.- Rafiganj, Dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh
For the State	:	Mr. Ram Bilash Roy Raman
For the Informant	:	Mr. Priya Ranjan
		Mr. Mukesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 341, 323, 504, 506 379 and 34 of the Indian Penal Code and later on Section 302 of of the I.P.C.

3. As per prosecution case, petitioners along with co-accused Saurabh Singh and 10-15 unknown assaulted the informant's father with lathi-danda due to which he sustained injury. It is further alleged that the accused persons also snatched Rs. 20,000/-, gold chain, mobile phone from the informant's father and took his signature on stamp paper.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case due to land dispute. The informant is not the eye witness of the alleged occurrence. General and omnibus allegation has been levelled against the petitioners. During course of investigation, Jairam Paswan on whose information informant came to place of occurrence and who is eye witness to the alleged occurrence in his statement clearly stated that he did not recognize any of the accused persons on the P.O. In fact, the deceased was assaulted by the extremist and he died during course of treatment. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners are languishing in judicial custody since 08.09.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Aurangabad in
connection with Rafiganj P.S. Case No.284 of 2023.

(Sunil Kumar Panwar, J)

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