

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83774 of 2023**

Arising Out of PS. Case No.-19 Year-2023 Thana- MEHUSH District-
Sheikhpura

- =====
1. AJAY SAO SON OF SURESH SAO R/O VILLAGE- BEHAR, P.S.- SARE, DIST.-
NALANDA
 2. RABINDRA SAO SON OF BHIKHARI SAO R/O VILLAGE AND P.O.- MEHUS,
DIST.- SHEIKHPURA
 3. SURENDRA SAO SON OF BHIKHARI SAO R/O VILLAGE AND P.O.-
MEHUS, DIST.- SHEIKHPURA
 4. RANJEET SAO @ KALLU SAO @ RAJNIT KUMAR SON OF UMESH SAO
R/O VILLAGE AND P.O.- MEHUS, DIST.- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Rakesh Kumar Sharma, Adv.
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr. Ramakant Sharma, learned senior counsel

for the petitioners and Mr. Parmanand Kumar, learned A.P.P. for

the State.

The petitioners apprehend their arrest in connection
with Mehush P.S. Case No. 19 of 2023 dated 10.06.2023
registered for the offence under Sections 302, 147, 149, 341, 323,
325, 307, 504, and 506 of the Indian Penal Code.

The petitioners along with others are alleged to have
assault the informant his family members by means of rod, khanti
and spade causing injury to the father of the informant on his



head due to which he died during treatment.

Learned senior counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case. He further submits that on bare perusal of the F.I.R., it appears that the F.I.R. is in two parts; in the first part of the F.I.R., there is general and omnibus allegation of assault is attributed to the petitioners and in the second part, the specific allegation of assault is attributed to the co-accused, Ravi Sao and Navin Sao who allegedly attacked on the father of the informant and assaulted him by rod and spade leading puncture injury on his head. He further submits that there is case and counter case between the parties for the same occurrence and the wife of the petitioner No.3 has filed the counter case against the family members of the informant.

Learned A.P.P. for the State on the other hand opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mehush P.S. Case No. 19 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also



with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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