

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9469 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- SONEPUR District- Saran

1. Sumit Kumar Son of Lalu Singh Sumit Kumar Minor under guardianship of his mother namely Renu Devi, Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
2. Vishal Kumar Son of Lalu Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
3. Jitendra Kumar Son of Hem Lal Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
4. Ranjan Kumar Son of Shankar Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
5. Jhagru Singh Son of Ram Ekbal Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
6. Bigan Kumar Son of Late parsuram Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
7. Nitish Kumar Son of Pali Singh Nitish Kumar, under guardianship of his mother namely Geeta Devi, Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.
8. Chandan Kumar Son of Asharfi Singh Resident of Village - Chain Tola, Sabalpur, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Sonapur. P.S. Case No. 304 of 2023 dated 01.05.2023, instituted
for the offence punishable under Sections 147, 148, 149, 448,



323, 354, 379, 427 and 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of occurrence all the accused persons reached at the house of informant and started abusing her. Upon her protest, all the accused persons armed with *lathi*, *danda* and iron rod started assaulting her. It is further alleged that her brother, namely, Rohit Kumar reached there for her rescue but Vishal Kumar assaulted him with iron rod due to which he sustained head injury. When one Mukesh Kumar also reached there for rescue, he was also assaulted by Ranjan Kumar with iron rod causing injury. The informant has also been outraged in this scuffle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that both sides are neighbours. It is submitted that informant's family encroached the road by constructing house on public road between the house of the petitioners and informant and due to this reason several times scuffle took place between both the parties. It is submitted that six criminal cases have been filed against the petitioners and four criminal cases by the petitioners against the informant and his family members. It is also submitted that petitioner no. 3 filed an application before the Collector, Saran for removing of



encroachment from the public road. After getting report from Circle Officer, Sonapur, the Collector ordered for immediate removal of encroachment from the public road. Lastly, it has been submitted that petitioner no. 1 has two cases, petitioner nos. 2 and 3 have three criminal cases, petitioner no. 4 has one case, petitioner no. 5 has no criminal case, petitioner nos. 6 and 7 have two criminal cases and petitioner no. 8 has two criminal cases against them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Sonapur P.S. Case No. 304 of 2023, they shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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