

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85670 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- BEERPUR District- Begusarai

1. Sahdeo Sah Son Of Late Bindeshwari Sah R/O Village- Birpur, Ward No. 12, P.S.-Birpur, Dist.- Begusarai
2. Shubham Kumar Son Of Sahdeo Sah R/O Village- Birpur, Ward No. 12, P.S.-Birpur, Dist.- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Namita Sharma @ Mrs. Namit Kumar
Mr. Anshu Dhar Sharma
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 147, 149, 341, 323, 379, 307, 504, 506 and 302 of the Indian Penal Code .

3. As per allegation in the F.I.R., the petitioners along with other accused persons having lathi, danda, khanti and rod in their hands came to the house of informant, obstructed him to do his construction work and assaulted to him. When the informant's Manish Kumar, Avnish Kumar, Aayush Kumar and two other came there, petitioners and other assaulted them also. Co-accused Rahul Kumar and Kailsah Sah have assaulted to



Avnish Kumar with iron rod on his head with intention to kill him causing severe injury and he became senseless. Co-accused Rahul Kumar has also assaulted Manish Kumar with iron rod with intention to kill him and the petitioner Sahdev Sah snatched gold chain from the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The petitioners are co-villager and next door neighbor of the informant and they have been falsely implicated in this case. General and omnibus allegation has levelled against the petitioners and there is no specific overt act against them. The specific allegation of assaulting the informant's son Avnish Kumar and Manish Kumar is against co-accused Rahul Kumar and Kailash Kumar not against the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners are languishing in judicial custody since 13.10.2023.

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

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 J.M. 1st Class, Begusarai in connection with Birpur P.S. Case No. 170 of 2023.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

