

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2385 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- ASHOK PAPER MILL District- Darbhanga

1. Shravan Das S/o Late Jhingur Das R/o Village- Pethiyagachhi, P.S- Apm, Distt.- Darbhanga.
2. Rakesh Das @ Rakesh Kumar Das S/o Mahendra Das R/o Village- Pethiyagachhi, P.S- Apm, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Ashok Paper Mill (APM) P.S. Case No. 02 of 2023, instituted for the offences punishable under Sections 147/ 148/ 149/ 341/ 323/ 324/ 307/ 504/ 506/ 379/ 354(B)/ 447 of the Indian Penal Code.

3. The prosecution case, in short, is that the quarrel took place in between the informant and accused persons including the petitioner. It is alleged that petitioner no. 1, Shravan Das gave *farsa* blow on the head of the informant. It is further alleged that petitioner no. 2, Rakesh Das and co-accused, Rajesh Das attacked on the head of the informant by means of



sword due to which he sustained injury. The villagers came in rescue were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The doctor opined that the injury is caused by hard and blunt substance which falsifies the manner in which the alleged occurrence took place. Learned counsel for the petitioner further submits that the present case in retaliation to SC/ST P.S. Case No. 05 of 2023 filed by the relative of the informant. Charge-sheet has already been submitted in the present case. The petitioners have no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioners are languishing in judicial custody since 17.10.2023.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) each with



two sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Ashok Paper Mill
(APM) P.S. Case No. 02 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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