

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6876 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- KACCHWA District- Rohtas

1. Shiv Bachan Singh @ Mohan Singh, Son of Late Ganpat Singh,
 2. Rahul Kumar, Son of Virbahadur Singh,
 3. Manoj Kumar, Son of Godhan Singh
 4. Birendra Kumar @ Biren Kumar, Son of Godhan Singh
- All are residents of Village - Khiriao, P.S. - Kachhawan, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudama Singh, Advocate
		Mr. Shashi Kant, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
For the Informant	:	Mr. Lal Bahadur Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. In the present case, the petitioners are apprehending their arrest in connection with Kachhawan P.S. Case No. 112 of 2023, registered for the alleged offences under Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons, in the background of previous dispute, assaulted the informant and his family members.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. The FIR has been lodged after delay of three days for which there is no explanation. There is general and omnibus allegation of assault against all ten accused persons and though there is allegation of assault by sharp cut weapon, but the injury reports do not support such claim. Injury of one Dular Singh was found to be grievous, but it is on the wrist. Other injuries of injured persons are simple in nature. Moreover, there is no allegation against the petitioners for causing any of the injuries. The petitioners have got clean antecedent.

5. Learned APP as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioners. The learned counsel for the informant submits that the petitioners along with other co-accused persons brutally assaulted the informant and others and caused a number of injuries and one such injury is stated to be grievous.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the delay in lodging the FIR and absence of specific allegation against the petitioners and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bikramganj, Rohtas, in connection with Kachhawan P.S. Case No. 112 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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