

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7065 of 2024

Arising Out of PS. Case No.-885 Year-2022 Thana- SONEPUR District- Saran

1. Dinesh Singh son of Ram Ishwar Singh resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
2. Vijay Singh @ Vijay Kumar Singh, son of Ram Sewak Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
3. Chandan Mahto, son of Asharfi Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
4. Ranjeet Mahto, son of Asharfi Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
5. Ranjan Kumar, son of Shankar Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
6. Niraj Kumar, son of Shankar Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
7. Naresh Mahto, son of Banarsi Mahto, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
8. Mahesh Mahto @ Mahesh Kumar Mahto, son of Banarsi Mahto, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
9. Karan Kumar son of Lalu Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
10. Suraj Kumar, son of Lalu Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
11. Vishal Kumar, son of Lalu Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
12. Sunny Kumar, son of Gopal Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
13. Golu Kumar son of Gopal Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
14. Satyendra Singh @ Satyanarain Kumar son of Hemlal Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
15. Jitendra Singh @ Jitendra Kumar, son of Hemlal Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
16. Kundan Kumar, son of Kapuri Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
17. Kapuri Singh @ Dharmu Singh @ D Dharmu Kumar son of Gauri Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
18. Karmu Singh @ Karmu Kumar, son of Gauri Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
19. Govind Kumar, son of Sheo Pujan Singh, resident of Village Sabalpur Chain Tola, P.S. Sonapur, District Saran.
20. Ram Ayodhaya Singh, son of Sheo Pujan Singh, resident of Village Sabalpur



Chain Tola, P.S. Sonapur, District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In this case, the petitioners are apprehending
their arrest in connection with Sonapur P.S. Case No. 885 of
2022 registered for the offences under Sections 147, 148, 341,
323, 594, 506, 354(B), 379 of the Indian Penal Code.

3. As per prosecution case, petitioners and 20-25
persons who were variously armed entered in the house of the
informant and looted the household articles. They also tried to
commit rape with the informant.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have been falsely implicated in
this case. No occurrence as alleged has ever taken place. No
specific allegation of assault has been made against the
petitioner. Only specific allegation against the petitioner no. 15
and 16 is that they put down the informant on floor. The real



fact of the case is that the informant's family have encroached over the public road between the houses of the petitioners and informant family and some scuffle took place between both sides and persons from both sides received injuries. One Shankar Mahto has filed Sonpur P.S. Case No. 882 of 2022 against the informant's family members. On complaint being made by petitioner no. 15, collector has taken action and called for report from the C.O., Sonapur ordering for removal of alleged encroachment from public road. Learned counsel further submits that except petitioner no. 4, 8, 9, 18 and 19 all other petitioners are having criminal antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and omnibus nature of allegations and in background of dispute between two groups, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Saran/court concerned in connection with Sonapur
P.S. Case No. 885 of 2022, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure
and other 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.

(Arun Kumar Jha, J)

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