

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15505 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- SANDESH District- Bhojpur

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1. Indal Sah @ Indal Kumar Son of Harendra Sah village -Bartiyar, Police station -Sandesh, District-Bhojpur
 2. Tijiya Devi Wife of Harendra Sah village -Bartiyar, Police station -Sandesh, District-Bhojpur
 3. Sonam Kumari Daughter of Bharat Mahto village -Bartiyar, Police station -Sandesh, District-Bhojpur
 4. Nilam Kumari Daughter of Bharat mahto village -Bartiyar, Police station -Sandesh, District-Bhojpur
 5. Priyanka Devi @ Priyanka Kumari wife of Rajesh Kumar village -Bartiyar, Police station -Sandesh, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Sandesh P.S. Case No. 291 of 2024 , registered for the offences punishable under Sections 126(2), 115(2), 118, 117(2), 303(2), 109, 125(a), 3(5) of the BNS, 2023.

3. Allegedly while the accused persons were forcibly constructing the house over the land of the informant; when protest was made all the FIR named accused persons armed with various weapons brutally assaulted him leading to injuries.



There is further allegation against the petitioners of pelting stones due to which the informant and others have also sustained injuries. There is allegation against the petitioner no. 1 of snatching golden locket.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that save and except the omnibus allegation against the petitioners, there is no specific allegation of any participation of the petitioners. So far snatching of valuables against the petitioner no. 1 is concerned, that is nothing but a concocted one. Supplementary affidavit has been filed and based upon the statement of Sarpanch submission has been made that on the direction of the Circle Officer, the land was measured and it has been found that the land on which the informant is claiming his title does not belong to him. It is lastly submitted that there is counter version of the present case being Sandesh P.S. Case No. 292 of 2024 instituted by the petitioners' side. The petitioners bear fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the accused persons have actively participated in the crime.



6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the factum of case and counter case, coupled with the fair antecedent of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Bhojpur (Ara) in connection with Sandesh P.S. Case No. 291 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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