

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47096 of 2025

Arising Out of PS. Case No.-553 Year-2020 Thana- SONEPUR District- Saran

1. Nageshwar Rai s/o Late Ram Pavitra Rai R/o Village- Chakapsaid, P.S.- Sonpur, District- Saran
2. Sonu Kumar S/o Shivnath Rai R/o vill- Sabalpur Pachhiyari Tola, P.S.- Sonpur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. In the present case, the petitioners seek bail in connection with Sonpur P.S. Case No. 553 of 2020 registered on 24.07.2020 for the offences under Sections 302, 307, 323, 324, 325, 341, 147 and 148 of the Indian Penal Code.

3. As per prosecution case, in the background of petty quarrel between children of two families, petitioners and other co-accused persons who were armed with iron rod and *farsa*, assaulted the uncle of the informant. When the informant and his other family members came for his rescue, they were also assaulted. The uncle of the informant succumbed to his injury during his treatment.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Over the quarrel between children of the families, the informant side assaulted the petitioners and his family members and the petitioners' side has lodged Sonpur P.S. Case No. 569 of 2020 under Sections 341, 323, 324, 325, 307 and 504 of the IPC. During quarrel between children of two sides the deceased who was veteran criminal and used to consume liquor and in drunken condition falling on stone and received injuries and died. Petitioners' side also received injuries but unfortunately the uncle of the informant died. The petitioners were not even present during the occurrence. Learned counsel further submits that moreover specific allegation of hitting the brother of the informant on his head by *farsa* is against co-accused Pankaj Kumar and not against these petitioners. Petitioners are in custody since 02.04.2025 and charge-sheet has been submitted. Petitioners are having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioners. Learned APP submits that there is allegation against petitioner no.1 that he ordered for killing of the brother of the informant and the petitioner no.2 used iron rod



to assault the deceased.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that specific allegation for using *farsa* blow on the head of the deceased is against co-accused Pankaj Kumar and not against the petitioners and also considering the period of custody of the petitioners along with their clean antecedent and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court in connection with Sonpur P.S. Case No. 553 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. 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.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioners will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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