

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83378 of 2024

Arising Out of PS. Case No.-316 Year-2024 Thana- PARBATTa District- Khagaria

1. Abhimanyu Kumar @ Abhimanu Kumar S/O Kailash Jha @ Kanhaiya Jha R/O CTC (TIT) CRPF, Tiril Ashram, P.S- Dhurwa, Distt.- Ranchi, Jharkhand- 834004 presently residing at Panchayat- Kabela, Gram- Balha, P.O- Balha, P.S- Parbatta, Distt.- Khagaria, Bihar- 851203.
2. Satyam Kumar S/O Vijay Jha residing at Panchayat- Kabela, Gram- Balha, P.O- Balha, P.S- Parbatta, Distt.- Khagaria, Bihar- 851203.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioners and learned APP
for the State. Perused the case diary.

2. The petitioners seek bail in connection with Parbatta P.S. Case No. 316 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(2), 109, 303(2), 331(4), 352, 351(2), 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that, accused persons, including the petitioners brutally assaulted one Kanhaiya Thakur and Bambam Yadav. The assailants forcefully entered, attempted to kill the brother of the informant, severely injured him and looted gold, silver and cash of Rs. 17 lakh.



4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 01-08-2024. Petitioners bear no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. No incriminating article has been recovered from the possession of the petitioners. There is case and counter case between the parties. There is subsisting land dispute between the parties. There is no independent eye witness to the occurrence. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Referring to paragraph No. 40 of the case diary, which is statement of the injured person, it is submitted that injured has alleged the allegation against the petitioner No.1, and injury is also found to be grievous in nature.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parbatta P.S. Case No. 316 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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