

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89865 of 2024

Arising Out of PS. Case No.-651 Year-2023 Thana- SABAUR District- Bhagalpur

1. Roshan Singh @ Raushan Kumar Singh S/O Nawal Singh @ Nawal Kishor Singh R/O vill.- Nadiyama, P.S.- Gauradih, Dist.- Bhagalpur.
2. Dipak Singh @ Dipak Kumar Singh S/O Nawal Singh @ Nawal Kishor Singh R/O vill.- Nadiyama, P.S.- Gauradih, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-01-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The both accused/petitioners are named in F.I.R.

and apprehending their arrest in connection with Sabour
(Goradih) P.S. Case No. 651 of 2023, registered for the
offences punishable under Sections 147, 148, 149, 307, 504,
506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against above named petitioners is

to assault informant and others alongwith co-accused
persons, causing head and bodily, having intention to cause



their death, where occurrence is arises out of land dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation *qua* physical assault is appearing very much general and omnibus against petitioners, where from the narration of FIR, it appears that this is not a case of bodily injuries. It is submitted that the allegation to open fire by petitioners appears general and omnibus and it also not appears out of narration of FIR that same was made with intention to cause death of the informant and others. It is submitted that for the same set of occurrence petitioner's side also lodged a case, which has been registered as Sabour (Goradih) P.S. Case No. 652 of 2023. While concluding the argument, it is submitted that petitioners are found involved in one more criminal case, where they are on bail.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact, as allegation *qua* opening fire is appearing very much general and omnibus against petitioners, which *prima facie* not appears to made



with intention to cause death, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur/concerned Court, where the case is pending in connection with Sabour (Goradih) P.S. Case No. 651 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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