

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2632 of 2024**

Arising Out of PS. Case No.-32 Year-2024 Thana- Mufassil District- Purnia

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1. SONU KUMAR @ SONU SAH SON OF LATE RAJU SAH @ RAJENDRA SAH RESIDENT OF VILLAGE - RANIPATRA, P.S. - MUFASSIL, DISTRICT - PURNIA
  2. MINA DEVI WIFE OF LATE RAJU SAH @ RAJENDRA SAH RESIDENT OF VILLAGE - RANIPATRA, P.S. - MUFASSIL, DISTRICT - PURNIA

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. DILIP DAS SON OF LATE TULSI DAS RESIDENT OF MATIYA, WARD NO. 13, P.S. - MUFASSIL, DISTRICT - PURNIA

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Anupam Bahadur, Advocate  
For the Respondent/s : Mrs.Usha Kumari 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      30-10-2024                      Heard the parties.

2. The present appeal has been preferred for the grant of bail in connection with Mufassil P.S Case No. 32/2024 for the offences punishable under sections 147, 148, 341, 342, 323, 324, 325, 326, 307, 353, 379, 387, 504 and 506 of the I.P.C and section 3(1)(r) (s) of the SC/ST Act lodged on 25.03.2024 by the informant Dilip Das.

3. As per the prosecution story, the informant alleged that while patrolling, the allegation is that the appellants came alongwith unknown persons with the intention to extort Rs.



5,00,000/- stopped the motorcycle and assaulted them which led to the present case.

4. Learned counsel for the appellants submit that no such occurrence took place, there was a minor scuffle, a perusal of the case would show that only to harass the two appellants, the case has been lodged. The further submission is that the injuries on the person has been found to be simple in nature. It is further submission that they are in custody since 26.03.2024 (para-13 of the petition) and do not have criminal antecedents.

5. In this case, notices were issued to the informant/respondent no.2 and as per the office note, the same was validly served upon him but there is no appearance on behalf of the informant/respondent no.2.

6. Taking into account the aforesaid facts as also the submissions of the parties, injury has been found to be simple in nature and the appellants are in custody since 26.03.2024, one of them is a lady, this Court is inclined to extend them the privilege of bail. The order dated 24.04.2024 passed in Mufassil P.S. Case No. 32 of 2024 by the learned Special Judge, SC/ST (PTA) Act, Purnia is set aside and the appeal is allowed.

6. Let the appellants be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties



of like amount each to the satisfaction of learned Special Judge,  
SC/ST (POA) Act, Purnia, in connection with Mufassil P.S.  
Case No. 32 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the appellants who shall provide official document to show his bona fide;

(ii) the appellants shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the appellants shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the appellants shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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