

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47292 of 2017

Arising Out of PS.Case No. -31 Year- 2016 Thana -SIRDALA District- NAWADA

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Hamendra Kumar @ Tinku Singh S/o Shailendra Singh R/o Vill- Mirzapur,
P.O.- Mirzapur, P.S. Mescor, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 30-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Sirdala P.S. Case No. 31 of 2016 dated 04.02.2016 instituted for
the offences under Section 147, 149, 323, 324, 341, 307, 379, 504,
506 of the Indian Penal Code.

The informant in the F.I.R has alleged that
while he was coming back from the market, he was accosted by
the accused persons including the petitioner and the accused
persons assaulted him on his head by means of butt of pistol and
Garasa. The petitioner is alleged to have used a Garasa, a sharp



cutting object, leading to injuries on the person of the informant.

The informant has received three injuries. One being a sharp cut injury and the two others in the nature of pain in the left soldier and body. Only injury No. 1, which could be attributed to the petitioner, is stated to be grievous.

However, Mr. Rajendra Prasad Singh, learned senior advocate has argued that the petitioner has been falsely implicated in this case. Prior to the occurrence, as stated in the F.I.R., the informant in a drunken state had abused the petitioner in front of his house and a scuffle had taken place in which the informant was injured. Learned senior counsel for the petitioner has also stated that there has been a settlement between the parties and that fact was also stated before the learned Court below at the time when the bail petition was moved.

The petitioner is in custody since 31.08.2017.

Taking into account the period of custody, the circumstances in which the occurrence is said to have taken place and the petitioner not having any criminal antecedent, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction



of learned Additional Chief Judicial Magistrate, V, Nawada, Bihar
in connection with Sirdaul P.S. Case No. 31 of 2016.

(Ashutosh Kumar, J)

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