

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57798 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -KHUSRUPUR District- PATNA

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1. Gorakh Singh, S/o Rameshwar Singh,
2. Ajay Singh @ Dhananjay Singh, S/o Badhani Singh, Both are R/o
Village- Gopal Tola, P.S.- Khushrupur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. A.M. P. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Khushrupur P.S. Case No. 94 of 2017, registered under
Sections 341, 323, 354, 307 and 379 of the Indian Penal Code.

The accusation is that on 10.05.2017 at 12 'O' clock
quarrel took place in between the children then both petitioners
along with Lalwati Devi, wife of petitioner no. 1, armed with
weapons came and started to abuse. At that time, petitioner no. 1,
Gorakh Singh, laid down the informant, Sakli Devi, by catching
her hair and Lalwati Devi started to cause assault through stick
and snatched her ear rings. On raising alarm by the informant,



petitioner no. 1 gave Farasa blow causing imputation of her middle finger of her right hand whereas petitioner no. 2, Ajay Singh @ Dhananjay Singh, caused injury through iron rod causing fracture injury in her right leg.

Learned counsel for the petitioners submits that while allegation has been made about causing injury to the informant by Lalwati Devi, wife of petitioner no. 1, and also by petitioner no. 2, Ajay Singh @ Dhananjay Singh through iron rod, but only one injury imputed middle finger at the right hand of the informant caused by petitioner no. 1 was found by the Doctor at P.M.C.H. with observation that further injury could be obtained from P.H.C. Khusrupur and other injuries were hard and blunt substance as reported by the P.H.C., Khusrupur.

Having regard to the facts and circumstances of the case, let petitioner no. 2, Ajay Singh @ Dhananjay Singh, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Patna City, Patna, in connection with Khushrupur P.S. Case No. 94 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



So far as the prayer for pre-arrest bail of petitioner no. 1, Gorakh Singh, is concerned, having considered the facts and circumstances of the case and the nature of allegation against him, his prayer for grant of anticipatory bail stands rejected. The petitioner no. 1 is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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