

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17841 of 2017

Arising Out of PS.Case No. -323 Year- 2014 Thana -SHASTRINAGAR District- PATNA

=====

Niraj Kumar @ Niraj Singh Son of late Deep Narayan Singh Resident of
Village- Akauna Koti, Police Station- Shastri Nagar, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Ahmad Ali

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Shastri
Nagar P.S. Case No. 323 of 2014 registered for the offences
punishable under Sections 341, 323, 325, 307, 147, 148 of the
Indian Penal Code.

The Administrative Officer of Sant Gandhi Residential
High School, Sheikhpura lodged the FIR after receiving the
information from the Guard of the school that Vijay Kumar Singh
the founder member of the school has been assaulted brutally by
the petitioner, Arun Kumar and 12-13 unknown persons and Vijay
Kumar Singh has become unconscious and with the help of local
people and police the injured was taken to PARAS Hospital where
at the time of lodging of the FIR his condition was stated to be



very precarious.

Submission is of false implication and that there is land dispute between the parties, title suit is also going for the said land where the informant's side was trying to make construction, the petitioner without any fault is suffering in custody since 01.06.2016 and he has sufficiently been penalized by remaining in custody. The statement of injured was not recorded earlier but in supplementary case diary in paragraph 9 his written statement has been recorded which has got no probative value, in this case co-accused Satya Narain Singh has already been allowed bail vide Cr. Misc. No. 30208 of 2014 and as such the petitioner also deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner is named in the FIR also and further the injured in his statement has stated that the petitioner assaulted him with iron rod.

In the facts and circumstances stated above, considering that co-accused Saty Narain Singh has already been allowed bail and title suit is also pending between the parties and further considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Shastri Nagar P.S. Case No. 323 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

