

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28118 of 2018

Arising Out of PS.Case No. -102 Year- 2016 Thana -SAHAJITPUR District- SARAN

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1. Sonu Kumar Son of Rabindra Singh Resident of Village - Manopali,
Police Station - Sahajitpur, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioner, counsel for the
informant and the learned APP for State.

The petitioner seeks bail in connection with Sahajitpur
PS Case No. 102 of 2016 for offences punishable under Sections
341, 323, 324, 307, 504/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that
while persons were attending a Baraat, some dispute arose and
scuffle took place, upon which, the petitioner is alleged to have
given a knife blow on the chest of the informant and also
coaccused Raman gave knife blow on the informant in his
abdomen. Thereafter, it is alleged that the informant was taken to
Siwan hospital from where, he was referred to PMCH, Patna.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has falsely been implicated in the present case. He submits that the date of occurrence is alleged to be 25-11-2016, the Fardbyan has been written on 03-12-2016 and FIR was lodged on 08-12-2016. He submits that under the RTI Act, he has received written information by the Deputy Superintendent, Sadar Hospital, Siwan stating therein that the informant was referred to Siwan hospital in the emergency and his name figures in the emergency register between 9.00 p.m. to 8.00 a.m. on 25-11-2016 but he was neither injured nor referred to PMCH, Patna. He submits that the inordinate delay in lodging of the FIR as well as R.T.I. report contradicts the prosecution case. He submits that parties are on inimical terms.

However, learned counsel appearing on behalf of the informant vehemently opposes the prayer for bail stating therein that the informant was admitted to Paras Hospital and both the injuries on the chest and abdomen were found to be grievous in nature.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousands) each, with two sureties of the like amount each to the satisfaction



of learned Judicial Magistrate-Ist Class, Chapra in connection with Sahajitpur PS Case No. 102 of 2016, subject to the following condition that one of the bailers would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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