

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37504 of 2019

Arising Out of PS. Case No.-186 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bijendra Kumar @ Bijendra Singh @ Bijendra Kumar Singh S/o Late Shiv
Kumar Singh R/o village- Bankat, P.S.- Mufasil, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner who is an accused in Mufasil P.S. Case No.
186 of 2019 registered for the offences punishable under
sections 341,342,323,307,504 and 506/34 of the Indian Penal
Code has prayed for bail on account of being in custody since
10.05.2019.

As per the allegation in the FIR, on account of Air
Conditioner of a room of Hotel S.S. Exotica being out of order,
there was some altercation of the hotel staff with one of its
customers. It is alleged that the hotel staff threatened the
students of the engineering college and subsequently the
altercation escalated leading to assault by the hotel staff of one
Kuwar Kumar Paswan and others. It is alleged that the owner of
the hotel as also others assaulted the informant and others.



It is submitted by learned counsel for the petitioner that so far as this petitioner is concerned, he is not the owner of the said hotel and is in fact a government servant being posted as a constable, copy of his identity card has been enclosed as Annexure 5 to the bail application. It is further submitted that the hotel is in the name of his wife and he was not at the place of occurrence. By way of supplementary affidavit, the injury report of the aforesaid Kuwar Kumar Paswan has been brought on record, from perusal of which it would transpire that the injuries are of multiple abrasion on the left shoulder and swelling on the left hand.

The learned APP appearing for the State opposes the application for bail stating that there is allegation of assault even on the owner of the hotel along with its staff.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the fact that for the same occurrence four FIRs have been registered, all the offences are bailable except section 307 of the IPC, the petitioner has no criminal history and he is a government servant, the Court is inclined to enlarge the petitioner on bail. The petitioner named above is directed to be enlarged on bail on furnishing 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, East Champaran in Mufasil P.S. Case No. 186 of 2019.

(Partha Sarthy, J)

Prakash/-

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