

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11644 of 2020

Arising Out of PS. Case No.-206 Year-2018 Thana- PIRPAINTI District- Bhagalpur

SANTOSH KUMAR SINGH @ SANTOSH KR. SINGH, aged 31 years,
Male, Son of Late Krishna Prasad Singh @ Sri Krishna Singh, Resident of
Village - Parshurampur Jabdi, P.S.- Pirpainti, District- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhay Kumar Singh, Advocate.
For the Opposite Party : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 323, 325, 341, 307, 354(B), 327, 448,
504 and 506/34 of the IPC.

The prosecution story, in brief, is that the informant
Suman Kumari is the student of B.Com IIIrd Part. Her father
died on 04.01.2018. Her neighbour Aniket Pratap Singh and co-
accused Saurav Kumar Singh used to harass her with bad
intention. In the month of March, 2018, both the aforesaid co-
accused entered into her house in the night and tried to commit
illegal act against her. She informed her mother. Her uncles
Prashant Singh and Nishant Singh also came and asked about



the incident from the petitioner and co-accused but they assaulted Nishant Singh by means of *Lathi*. It is further alleged that on 14.09.2018, the informant was sleeping in her house in the night, in the meantime, co-accused Aniket Pratap Singh and Saurabh Singh entered into her house and further tried to commit illegal act against her. Co-accused Saurabh torn her clothes for which she became half naked. Aniket Pratap Singh and co-accused Saurabh Singh armed with Lathi, pistol further came at her *Darwaza* and abused her other. Prashant Singh uncle of the informant was also assaulted by the co-accused Saurabh Kumar Singh, who sustained head injury. The petitioner Santosh Kumar Singh also assaulted the informant by means of Lathi as a result of which she sustained injuries on her hand.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 14.12.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is case and counter case between the parties. The petitioner is said to have given single blow on the hand of the informant. Injury caused by the petitioner is on non-vital part of the body of the



informant. Hence, no offence under Section 307 of the IPC is made out in the present case. Other co-accused Aniket Pratap Singh has been granted regular bail by the learned Sessions Judge, Bhagalpur on 15.10.2018 vide B.A. No. 1449 of 2018 and co-accused Saurav Singh has been granted anticipatory bail by the learned 7th Additional District & Sessions Judge, Bhagalpur on 23.01.2019 vide A.B.P. No. 3019 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Bhagalpur, in connection with Pirpanti P.S. Case No. 206 of 2018.

(Sudhir Singh, J)

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