

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11247 of 2020**

Arising Out of PS. Case No.-47 Year-2019 Thana- UPHARA District- Aurangabad

=====

DHANANJAY KUMAR SINGH @ DHANANJAYA KUMAR SINGH Son
of Krishna Singh @ Baban Singh Resident of Village - Gorkati, P.S.- Uphara,
District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 19-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner apprehends his arrest in **Uphara P.S.
Case No. 47 of 2019**, registered for the offences punishable
under Sections 307, 323, 324, 337, 338, 504, 147, 148, 149 of
the Indian Penal Code.

Prosecution case in brief is that the informant being
President of Durga Puja Samiti was leading procession of Idol
and when the procession arrived at the door of Kishori Singh at
about 5.00 pm, Dhananjay Singh (petitioner) made hindrance in



proceeding ahead. Thereafter, altercation took place, brick batting and stone pelting was started by the petitioner and other accused persons. Satyendra Choudhary, Shiv Prasan Ram (informant) and others became injured. It is further alleged that this petitioner and co-accused Mrityunjay Kumar Singh assaulted Satyendra Choudhary with sword on his head, as a result of which he fell down and became unconscious.

It is submitted that petitioner has been falsely implicated in this case. In fact, on the alleged date of occurrence, the informant was leading procession of Durga Puja and was playing DJ in full volume of vulgar song which was objected by the villagers. The informant instigated his supporters who entered into the house of one Sanjay Singh and committed offence for which complaint case no. 241 of 2019 was filed and Satyendra Choudhary sustained injury as a result of stampede and pelting stones. From the injury report, it appears that there is only one injury on the person of Satyedra Choudhary caused by hard and blunt substance. Moreover, some of the co-accused have been granted bail by the lower court itself.

Learned counsel for the informant vehemently opposed the prayer for bail and submitted that grievous injury



caused on the person of Satyendra Choudhary who was referred to A.N.M.C.H from Goh P.H.C for better treatment.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 **Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad** in connection with **Uphara P.S. Case No. 47 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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

