

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83641 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- SIMRA District- Aurangabad

Sudhir Singh, Son of Late Ugrah Singh, Resident of Village - Berawn, P.S.-
Simra, Distt - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 17-03-2020

Heard learned counsel for the petitioner and learned
counsel for the State being assisted by the learned counsel for the
informant.

The petitioner seeks bail in connection with Simra
P.S. Case No.41 of 2019 registered for the offence punishable
under Sections 341, 323, 324, 325, 326, 308 and 379 read with 34
of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the instant case has been instituted by the informant
in retaliation to Simra P.S. Case No.39 of 2019 dated 26.09.2019
instituted by the petitioner against the informant and his family
members. It is further contended that though there is an allegation
that the accused persons who were five in number were variously
armed with *bhala*, *garasa* and sword mercilessly assaulted the
informant, the injury report issued by the doctor, who treated the



informant would suggest that the injuries were mostly on non-vital part of the body and were in the form of pain and swelling. The two incised wound on the left and the right leg of the informant were found simple in nature.

On the other hand, learned counsel for the State contended that earlier case instituted by the petitioner on 26.09.2019 has not been found true during investigation. He has further contended that the petitioner was also armed with pistol and there is specific allegation that he assaulted the informant on head with the butt of the pistol.

In reply, learned counsel for the petitioner submitted that no injury has been found on the head of the informant by the doctor who treated him.

Be that as it may, regard being had to the nature of allegation and the fact that the petitioner is in custody since 08.11.2019, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad in connection with Simra P.S. Case No.41 of 2019.

(Ashwani Kumar Singh, J.)

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