

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12373 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- RIVILGANJ District- Saran

RAJESH SINGH S/O DAMODAR SINGH R/O VILLAGE-SITAB
DIYARA, ALAKH TOLA, P.S-RIVILGANJ, DISTRICT-SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Jha
For the State	:	Mr. Parmeshwar Mehta, APP
For the Informant	:	Mr. Dewendra Narayan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-06-2021 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the informant through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Rivilganj P.S. Case no. 157 of 2020 registered under section 307 and other sections of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that the five named accused persons including the petitioner herein came variously armed and started to abuse him. On being asked not to abuse, it is stated that on the orders of the petitioner, Umesh Singh with farsa and Abhishek Singh with brick assaulted the informant. All the accused persons also



assaulted the informant's wife. They took away Rs. 5,500/ and ornaments.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. From perusal of the FIR itself no overt act has been alleged against the petitioner. At best the allegations are general and omnibus in nature. The petitioner is in custody since 9.10.2020 and investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named as the order giver but there is also allegation against all the accused persons including the petitioner herein to have assaulted the informant's wife leading to several injuries.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegation and the petitioner having remained in custody for over eight months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Rivilganj P.S. Case no. 157 of 2020 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 Judicial Magistrate 1st Class, Saran.

(Partha Sarthy, J)

Prakash/-

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