

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14132 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- JIRADEI District- Siwan

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LAL BABU SINGH Son of Late Ram Singar Singh Resident of Village -
Makund Pur, P.S.- Ziradayee, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Adv.
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Ajay Kumar Tiwary, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-09-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, over a dispute between the parties relating to flow of water, it is stated that the accused persons assaulted the informant and others. It is stated that Shashi Singh assaulted the elder brother of the husband of the informant with a farsa while Ravi Singh and Lal Babu Singh, the petitioner herein, assaulted the husband of the informant with lathi.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No such occurrence as alleged has taken place. There is case and counter case between the parties. The F.I.R. of counter case, having been filed by the petitioner, has been brought on record as Annexure 2 to this petition. It is further submitted that no injury report of the husband of the informant is available in the case diary. Co-accused Ravi Singh has been enlarged on bail vide order dated 5.8.2021 passed in Cr. Misc. no.14122 of 2021. The petitioner is in custody since 28.8.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that not only there is specific allegation against the petitioner of having assaulted the husband of the informant with a lathi but as per instruction received, the injury has been found to be grievous in nature.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, grant of bail to co-accused Ravi Singh and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Ziradei P.S. Case no.82 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 Additional Chief Judicial
Magistrate 1st, Siwan.

(Partha Sarthy, J)

Saurabh/-

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