

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22592 of 2021**

Arising Out of PS. Case No.-52 Year-2020 Thana- KARPI District- Jehanabad

SUNIL KUMAR @ NAGA YADAV SON OF JANESHWAR YADAV R/O
VILLAGE- ASARI, P.S.- KARPI (SHAHAR TELPA O.P.), DISTRICT-
ARWAL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Ms. Pushpa Sinha-1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 29-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Karpi
(Sahar Telpa) P.S. Case No. 52 of 2020, disclosing offences
punishable under Section 307 and other allied Sections of the
Indian Penal Code.

The petitioner is in custody since 30.10.2020. Case
diary was called for, which has been received. It transpires from
the FIR that allegedly the petitioner assaulted the informant with
sabal/ khanti in his head and other parts of the body. The
informant was subsequently taken to hospital, whereafter he
came to the police station for giving his statement, based on
which the FIR came to be registered.



Learned counsel appearing on behalf of the petitioner has argued that there is land dispute between the petitioner and the informant in respect of which the same informant had filed a case giving rise to Karpi P.S. Case No. 98 of 2017. He has submitted that initially the injury on parts of the body, other than the head, was found to be simple in nature. The opinion in respect of the injury caused on the head of the informant was reserved and has been found to be grievous in nature. He has, however, submitted that since the petitioner has remained in custody for more than one year and property dispute is the reason why the petitioner has been implicated, no tangible purpose is going to be served if the petitioner is allowed to remain in custody any more. He has further submitted that the petitioner shall produce himself before the court below as and when required.

Learned Additional Public Prosecutor has resisted the prayer for bail.

Considering the facts and circumstances, in my opinion, a case for grant of regular bail is made out for the reason that after having sustained injury, as alleged in the FIR, the informant apparently went to the police station himself after treatment, for lodging of the FIR. This application is



accordingly allowed.

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 learned A.C.J.M.-IV, Arwal, in Karpi (Sahar Telpa) P.S. Case No. 52 of 2020.

(Chakradhari Sharan Singh, J)

Rajesh/-

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

