

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27180 of 2021**

Arising Out of PS. Case No.-116 Year-2020 Thana- PARIHAR District- Sitamarhi

ISRAFIL S/o Alisher Resident of Village - Ramnayka Tole Rainpur, P.S. -
Parihar, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Alok Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Nirmal Kumar Sinha, APP
For the Informant :	Mr. Pushpendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 30-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 324, 354, 380, 436, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein are stated to have come variously armed and they assaulted the informant and others. The petitioner is stated to have assaulted the son of the informant leading to injuries.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the instant case from which the instant application arises has been lodged after a delay of one month. The injuries on the son of the informant has



been found to be simple in nature which is evident from injury report (Annexure-3 to this petition). The petitioner is in custody since 24.1.2021.

The application for bail is opposed by learned A.P.P. 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 in the FIR but there is direct allegation him of having assaulted with an iron rod and the same is supported from the contents of the injury report.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, submissions made on behalf of the petitioner together with the petitioner having remained in custody for over 10 months, the petitioner is directed to be enlarged on bail in connection with Parihar P.S. Case no. 116 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 Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

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