

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37601 of 2020

Arising Out of PS Case No.-22 Year-2020 Thana- RAGHOPUR District- Supaul

Shivan Singh, aged about 62 years, Male, Son of Late Laldhari Singh,
Resident of Village- Bhagata Tola Dolatpur, PS- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 03-03-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Arun, learned counsel for the petitioner and Mr. Md Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Raghapur PS Case No. 22 of 2020 dated 01.02.2020, instituted under Sections 147/148/341/323/324/325/307/354-A/379/504 of the Indian Penal Code.

4. The allegation against the petitioner and others is of assault and specifically against the petitioner; of giving one *lathi* blow on the jaw of the brother of the informant.



5. Learned counsel for the petitioner submitted that the allegations are general and omnibus and that the blow was on the jaw, which is not a vital part and the same was not repeated. It was further submitted that the incident is said to have occurred on 21.01.2020, but the FIR was lodged on 01.02.2020 i.e., after 10 days and the injury report is from a private hospital.

6. Learned APP submitted that the petitioner has caused injury on the jaw of the brother of the informant.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII, Supaul in Raghapur PS Case No. 22 of 2020 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the



undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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