

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39515 of 2020**

Arising Out of PS. Case No.-121 Year-2020 Thana- MAHESHKHUNT District- Khagaria

DINESH SINGH Son of Dun Bahdur Singh Resident of Village- Patel Nagar,
Bharra, P.S.- Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr Binod Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Maheshkhunt Police
Station (for brevity, *PS*) Case No 121 of 2020 instituted for the
offence punishable under Sections 147, 149, 341, 323, 325, 337,
338, 307, 504, 506 of Indian Penal Code.

Based on a dispute for constructing drain/ditch,
prosecution alleges that petitioner, along with others, variously
armed, has assaulted the informant's husband and others who
come to rescue.

Petitioner's counsel submits that there is no specific
assault alleged against the petitioner. In fact, occurrence is of
26.08.2020 wherein the prosecution party were aggressor for



which petitioner has lodged a case on 28.08.2020, i e, prior to lodging of the instant case which is a counterblast to the said case (Maheshkhunt PS Case No 118 of 2020). Petitioner is in custody since 23.09.2020 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Khagaria in Maheshkhunt PS Case No 121 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as



pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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