

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10435 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- KHUDWA District- Aurangabad

1. LAL BABU SINGH, Son of Late Lorik Singh Resident of Village- Maravtpur, P.s.- Khudwan, Dist- Aurangabad.
2. Chhotu Singh, Son of Gopal Singh Resident of Village- Maravatpur, P.S.- Khudwan, District- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-09-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 03.02.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.1, namely, Lal Babu Singh as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.1, namely, **Lal Babu Singh** is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2, namely, Chhotu Singh and the learned A.P.P. for the State.



The petitioner No.2 Chhotu Singh apprehends his arrest in connection with Khudwan P.S. Case no. 55 of 2020, registered under Sections 341, 323, 354, 307, 379, 452 and 504/34 of the Indian Penal Code.

The accusation is that in the evening of 23.08.2020, informant Yogendra Singh along with his wife were present at his house, at that time, Lalbabu Singh and Chhotu Singh (Petitioner No.2) came there having rod and stick in their hand and started to abuse, when informant and his wife made protest then Lal Babu Singh gave iron rod blow at his head causing blood oozing injury. When Punam Devi, wife of informant, moved from there in the house. Thereafter, both entered in the house and Chhotu Singh (Petitioner No.2) caused injury through stick at his wife. At that time, Lal Babu Singh snatched Mangalsutra from the neck of wife of informant.

Learned counsel for the petitioner No.2 Chhotu Singh submits that while allegation has been made against petitioner No.2 Chhotu Singh that he caused injury to the wife of informant, but, the injury as found on the person of wife of informant is simple in nature. The petitioner No.2 has no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the petitioner No.2 Chhotu Singh be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Daudnagar, Aurangabad in connection with Khudwan P.S. Case No. 55 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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