

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7405 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

KANCHAN SINGH @ KANCHAN KUMAR S/o Vimal Singh R/o Village-
Tilak Tajpur, Ward No. 11, P.S.- Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sriram Krishna, Advocate
		Mr. Abhijeet Gautam, Advocate
For the Opposite Party/s	:	Mr. Md. Arif, APP
For the Informant	:	Mr. Ranjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-06-2021

. In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Runnisaidpur PS Case No. 121 of 2020 registered under Sections 147, 148, 149, 341, 323, 342, 302, 379, 354, 427 and 504 of the IPC.

The prosecution story alleges that the instant petitioner along with others have indiscriminately assaulted the informant.

Learned Counsel for the petitioner submits that the petitioner is an employee of the DJ Player who had come to perform at a marriage ceremony. It is in fact the informant of the instant case who was the aggressor. He has beaten up the petitioner and created nuisance at the marriage ceremony on account of refusal by the petitioner and his employer (DJ owner) to play vulgar songs in the ceremony. The petitioner's employer in this connection has lodged Runnisaidpur PS Case No. 133 of 2020 after being discharged from



the hospital where he was undergoing treatment of injuries on account of assault. Petitioner has also lodged Runnisaipur PS Case No. 122 of 2020. He submits that exerting pressure on the police the instant informant has got the prosecution launched only to coerce settlement of the prosecution lodged against the same. The same is evident from the time of registering the FIR which prima facie appears on the first page of the FIR, copy of which has been annexed. Petitioner has no criminal antecedent and he is in custody since 19.10.2020 based on such fraud and frivolous allegation.

Learned Counsel for the informant and the APP have opposed the prayer for bail. It is submitted that the petitioner has caused grievous injury in the assault perpetrated.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is 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 CJM Sitramarhi in Runnisaipur 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.

(Madhuresh Prasad, J)

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