

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2686 of 2022

Arising Out of PS. Case No.-235 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Anurudh Kumar Singh Son of Mohan Singh @ Mohan Prasad Singh Resident
of Village- Meghaul, Ward No. 04, P.S.- Khodawandpur, District- Begusarai.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Khodawandpur P.S. Case No. 235 of 2021 registered for the
offence under Sections 341, 323, 307, 354B and 504 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.10.2021.

The allegation against the petitioner is to outrage the
modesty of wife of the informant and also to assault, causing
injury, with intention to cause death. It is further alleged that
assault was made with iron rod.

Learned counsel appearing on behalf of the petitioner



submitted that, though, allegation of assault is specific against this petitioner, but same is not repeated without having any intervening circumstances, negating the intention to cause death thereof. It is submitted that the injury is single and simple in nature, which further strengthen that petitioner was not under intention to cause death. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that nature of injury is simple.

In view of the facts and circumstances, as mentioned above, as nature of injury is simple, where single assault was made without having any intervening circumstances coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khodawandpur P.S. Case No. 235 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Manjhaul, Begusarai/concerned Court, subject to the following conditions:



“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Mohan Singh @ Mohan Prasad Singh, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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