

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21052 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- MORKAHI District- Khagaria

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LAL CHANDRA SINGH SON OF LATE KALESHWAR SINGH
RESIDENT OF VILLAGE- GHARARI RASHONK, P.S.- MORKAHI,
DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-01-2022 Heard Mr. Binod Kumar, learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Morkahi P.S. Case No. 123 of 2020 dated 16.11.2020 instituted for the offences under Sections 341, 323, 307, 325, 354 and 34 of the Indian Penal Code.

The informant is the elder brother of the petitioner.

The petitioner is alleged to have assaulted him by means of an iron rod causing head injury to him. He is also said to have been assaulted on his right hand which led to its fracture.

Learned counsel for the petitioner has submitted that the accusation is absolutely false. The



parties stay in the same courtyard and over the issue of cleaning toilet, an occurrence took place. The wife of the petitioner also has filed a case against the informant and others *vide* Morkahi P.S. Case No. 122 of 2020.

The wife of the petitioner has received simple injury.

Learned counsel for the petitioner has pointed out that though the informant is said to have received grievous injury but looking at the dimension of the injury, it would appear that there is one injury *viz.* abrasion which is on the vital portion of the body of the informant. The rest all other injuries are absolutely simple in nature.

There is no injury of fracture in the hand of the informant.

It has further been submitted that the FIR was lodged after two days of the occurrence.

Regard being had to the relationship between the parties and the reason which ignited the dispute between them, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of the learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 123 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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