

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15252 of 2022

Arising Out of PS. Case No.-144 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

Suraj Yadav, Son of Late Naresh Yadav, Resident of Muhalla- Warsaliganj,
P.S.- Mojahidpur (Babarganj), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-08-2022 Heard Mr. Diwakar Upadhyaya, learned counsel
appearing on behalf of the petitioner and Mr. Raj Ballabh Singh,
learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 144 of 2021 for the
offence punishable under Sections 341, 307, 504, 506, 379 and
427/34 of the Indian Penal Code and Section 37 of the Bihar
Prohibition and Excise Act, 2016.

Prosecution story, in brief, is that 7-8 miscreants
including the petitioner assaulted the informant and snatched
Rs.5210/- from his pocket.



Learned counsel appearing on behalf of the petitioner submitted that from perusal of the allegation made in the F.I.R., it would appear that no overt act is alleged against the petitioner. There is general and omnibus allegation of assault against 7-8 accused persons named in the F.I.R. It is further submitted that in all the cases which are pending against the petitioner, he has been released on bail. Petitioner is in custody since 08.06.2021.

Mr. Raj Ballabh Singh, learned APP appearing on behalf of the State submitted that the petitioner along with 7-8 persons were found in inebriated condition and without any reason they started assaulting the informant and also ransacked his auto. The reasons assigned for assaulting is that the informant was blowing horn to which they had objected. The petitioner has a long criminal history and it would not be in the interest of society to release the petitioner on bail. He further drew attention of this Court that the injury sustained by the informant is simple in nature.

Considering the nature of allegation and criminal history of the petitioner, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the present bail application is rejected.

The petitioner, however, if so advised, may renew his



prayer for bail after completion of further nine months of custody.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

