

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25666 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- BARURAJ District- Muzaffarpur

=====

Nitesh Jha, aged about 26 years, male, Son of Shri Hemchandra Jha, Resident of Village- Chhatrapatti, P.S.- Baruraj, District- Muzaffarpur, Bihar- 843111.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Adv.

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 25-05-2022 Heard Mr. Aaruni Singh, the learned Advocate for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Baruraj P.S. Case No. 109 of 2020, dated 13.06.2020, instituted for the offences under Sections 341, 323, 504, 506, 307, 379 and 34 of the Indian Penal Code.

According to the prosecution case, a dispute



occurred at the time of construction of the parapet of the house of one of the parties when the petitioner and several others are said to have assaulted the members of prosecution party. So far as the petitioner is concerned, he is alleged to have given a sword blow on the father of the informant, which hit him in his left ear lobes.

Though there is corresponding injury on the left pinna of the ear lobes of the father of the informant but from the dimension and the nature of the injury, it appears to have been caused by a hard and blunt substance.

Mr. Singh, the learned Advocate has argued that even the nature of injury could not be ascertained for want of further medical investigations.

Apart from this, it has been submitted that one of the cousins of the petitioner, who is also an accused in this case, has lodged the counter version of the occurrence *vide* Baruraj P.S. Case No. 110 of 2020.

Regard being had to the fact that there was dispute over construction of a parapet and further taking into account the nature of injury attributable to the petitioner and



his clean record and age, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, West Muzaffarpur in connection with Baruraj P.S. Case No. 109 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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

