

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19297 of 2022

Arising Out of PS. Case No.-309 Year-2017 Thana- PAROO District- Muzaffarpur

RAJU SINGH S/o Jagarnath Singh, R/o Village - Chakki Suhagpur, P.S. -
Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Paroo P. S. Case No. 309 of 2017 lodged under Sections 341,
323, 324, 325, 307, 504 and 506/34 of the Indian Penal Code.

Allegation in this case against the petitioner is to
make knife blow in the stomach of the informant's son.

Learned counsel for the petitioner submits that from
the F.I.R. itself, it transpires that cause of dispute is due to
selling of wine in the village. Learned counsel for the petitioner
further submits that he is in custody since 25.11.2021 and
charge sheet has already been filed in this case. He further

submits that reasons best known to the prosecution, injury report has not submitted even at the level of Magistrate, Session Judge or before this Hon'ble Court. He further submits that case diary has been called for by which there is indication that charge sheet has been filed but that charge sheet is without injury report. He further submits that all the sections attached in the F.I.R. are bailable in nature, except 307 of IPC. He further submits that the petitioner's antecedent is clean, two accused persons have been granted bail and name of two accused persons have been removed from the charge sheet by way of filing the final form.

Learned counsel for the State opposes the prayer for bail but he fairly submits that in the present case charge sheet has been filed without injury report, as it transpires from the case diary.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Addl. District and Sessions Judge-13th, West, Muzaffarpur in connection with Paroo P.S. Case No. 309 of 2017, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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