

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.20042 of 2022**

Arising Out of PS. Case No.-56 Year-2021 Thana- SIMULTALLA District- Jamui

Arvind Kumar S/O Binod Mandal R/o- Gadi Telwa, P.S.- Simultalla, Distt.-  
Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate.

For the Opposite Party/s : Mr.Bharat Bhushan, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH  
ORAL ORDER**

2      19-07-2022                      The learned counsel for the petitioner is directed to  
remove all the defects pointed out by the Stamp Reporter within  
one month.

Heard learned counsel for the petitioner and the  
learned APP for the State.

Petitioner seeks regular bail in connection with  
Simultalla P.S. Case No. 56 of 2021 registered for the offences  
under Sections 147, 149, 302, 102(B) of the Indian Penal Code.

As per allegations, the petitioner and co-accused  
persons firstly surrounded the informant, his father and his  
cousin brother and after that the accused persons took out Tangi  
and Lathi and thereafter started assaulting the informant's father  
by means of Tangi then he fell down and thereafter the  
petitioner and co-accused Nakul Kumar assaulted the



informant's father by means of lathi due to which the victims sustained fractures at his both hands.

The main submissions advanced by learned counsel for the petitioner are that the petitioner has got no criminal antecedent and he has been languishing in jail since 11.08.2021 and as per allegation made in the FIR no fatal weapon is stated to have been used by this petitioner in assaulting the deceased and the story mentioned in the FIR appears to be fabricated as against every accused person most of the allegations are specific.

Learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and postmortem report of the deceased. A total of nine injuries were found on the body of the deceased as external injuries and among the said injuries four injuries have been opined to be caused by sharp object and rest have been opined to be caused by hard and blunt object and as per allegation made in the FIR petitioner and co-accused persons caused fracture injuries at the hands of the deceased and the manner of alleged occurrence mentioned in the FIR shows that the same was committed in a planned manner and petitioner's active role in the commission



of the alleged occurrence has been mentioned. Considering the nature of allegation appearing against the petitioner as well as seriousness of the alleged occurrence this Court does not find the petitioner’s prayer to be fit and proper for regular bail. Accordingly his bail prayer stands rejected.

Petitioner may renew his bail prayer after the framing of charge before the trial Court if he avails the said liberty then the Court below will decide his prayer without being prejudiced with this order according to merit.

(Shailendra Singh, J)

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