

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35227 of 2021

Arising Out of PS. Case No.-602 Year-2020 Thana- MANER District- Patna

Nakul Ram Son of Balli Ram Resident of Village - Sarai, P.O.- Sarai, P.S.-
Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-01-2022 Heard both parties through video conferencing.

The petitioner seeks bail in Maner P.S. Case No. 602 of 2020 corresponding to Sessions Trial No. 171 of 2021, registered for the offence punishable under Sections 307, 323 and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with other FIR named accused persons having armed with sharp edged weapon entered into the house of informant and attacked on informant's brother Bhim Ram, but it was missed and thereafter, petitioner stabbed in the stomach of Bhim Ram and took out Rs. 12,000/- from his possession.

In the FIR, there is no mention of date of occurrence. However, in restatement informant alleged that the occurrence took place on 27.10.2020, but the FIR was instituted on



30.10.2020 and there is no explanation for the delay. From perusal of Injury Report of Bhim Kumar, it appears that Bhim Kumar was admitted in Hospital on 22.10.2020 evening with complaint of burst abdomen and bleeding after assault that itself goes to show that no occurrence as alleged in the FIR took place on 27.10.2020 and Bhim Kumar was admitted five days prior to the alleged occurrence. Petitioner claims clean antecedent and he is in custody since 16.11.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Danapur, Patna in connection with Maner P.S. Case No. 602 of 2020 corresponding to Sessions Trial No. 171 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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