

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40207 of 2021

Arising Out of PS. Case No.-659 Year-2018 Thana- PUPRI District- Sitamarhi

Vijay Kumar S/O Ramprit Ray R/O Village-Bhitha, P.S-Pupri, District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-01-2022 Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the petitioner and the learned APP for the State.

Petitioner who is in custody since 15.4.2021 seeks regular bail in connection with Pupri P.S. Case No. 659 of 2018 registered for the offence punishable under sections 147, 149, 341, 323, 324, 307, 380, 342, 504, 506 and 354 of the Indian Penal Code.

The case of the prosecution in brief is that the petitioner and other accused persons on 20.12.2018 armed with lethal weapon assaulted the informant causing injury on the nose of the informant. There is specific allegation against the petitioner that he has inflicted injury on the nose of the informant and one Bholi Kumari assaulted the informant with



iron rod causing injury on the eyes of the informant due to which the informant has lost his sight.

Learned counsel appearing on behalf of the petitioner submits that from the FIR itself it appears that grievous injury has been caused by blow of rod by one co-accused Bholi Kumari and the allegation of assault made by the petitioner on the nose of the informant. From the impugned order, it appears that the injury is simple in nature. He further submits that the petitioner was apprehended on 15.4.2021 before that there was no question of apprehension. There is case and counter case between the parties.

Learned counsel for the State submits that there is direct allegation against the petitioner, causing blow on the nose of the informant and as such the petitioner does not deserve to be released on bail.

Considering the rival submission of the parties and the material placed on record and the nature of allegation against the petitioner that he has given knife blow on the nose of the informant is of simple in nature, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi,



in connection with Pupri P.S. Case No. 659 of 2018 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Ravi/-

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

