

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33707 of 2022**

Arising Out of PS. Case No.-230 Year-2021 Thana- TRIVENIGANJ District- Supaul

Aman Kumar Singh @ Gulshan Singh @ Aman Singh @ Gulshan Kumar, S/o
Manoj Singh Resident of Village/Mohalla- Adarsh Mohalla, Ward No. 12, P.S.
Triveniganj, Dist.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-09-2022 Heard Mr. Shekhar Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Kumar Veerendra
Narayan, learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Triveniganj P.S. Case No. 230 of 2021, for the offence
punishable under Sections 144, 149, 386, 379, 114, 326, 307,
341, 323, 504 and 506 of the Indian Penal Code and Section 27
of the Arms Act.

The prosecution case, in brief, is that the petitioner,
who is named in the F.I.R had assaulted the son of the informant
by means of iron rod on the shoulder of the son of informant
and the victim was treated at private hospital. The injury report
submitted by the Doctor shows that the injury sustained on the



shoulder of the son of the informant is grievous in nature.

Learned counsel appearing on behalf of the petitioner submitted that there is delay in lodging of the F.I.R. The petitioner and the informant were on inimical terms for passage of drain water and for the said reason, allegation of extortion and assault against the petitioner has been made. The son of the informant sustained injury which allegedly grievous in nature. The injury report was obtained from private hospital and same have no legal validity. The petitioner is a student aged about 22 years and he is pursuing graduation. The petitioner is in custody since 30.07.21.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

On the perusal of the F.I.R, it appears that the informant is the father of the victim, he is not eye-witness of the incident had taken place near Mela ground, F.I.R has been lodged due to enmity. The son of the informant had sustained injury on shoulder which is not on the vital part of the body. The petitioner has remained in custody since 30.07.21 and he is pursuing his graduation. Chargesheet has already been submitted.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned District and Sessions Judge, Supaul in connection with Triveniganj P.S. Case No.230 of 2021,subject to the following conditions:-

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

(2) Petitioner shall co-operate 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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