

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45394 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- NALANDA District- Nalanda

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MOHAN SINGH @ UDAY PRASAD SINGH S/o LATE ISHWAR SINGH
R/o VILLAGE-SURAJPUR, P.S. AND DISTRICT-NALANDA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SMT. SUNAINA DEVI W/o LATE RAJENDRA SINGH R/o VILLAGE-SURAJPUR, P.S. AND DISTRICT-NALANDA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	M/s Umesh Prasad Singh, Sr. Advocate Kumar Saurav, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-01-2022 Heard learned senior counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 307, 379
and other sections of the Indian Penal Code.

As per the prosecution case, it is stated by the
informant that his sons, namely, Raushan Kumar and Anant
Singh, were beaten up by the four named accused persons
including the petitioner herein as also one Prince Kumar. As a
result of the assault, the sons of the informant sustained injuries.
It is further stated that the accused also snatched the chain and
earring. The cause of occurrence is said to be land dispute etc.



It is submitted by learned senior counsel appearing for the petitioner that the allegations are general and omnibus in nature. Referring to the order dated 16.4.2021 passed in Cr. Misc. No. 39122 of 2020 (Ujjal Kumar @ Chintu Kumar vs. State of Bihar and another) it is submitted that from perusal of the same it would transpire that the doctor found single injury on the deceased as well as the injured. Thus it is submitted that the allegations levelled in the FIR of brutal assaulted by four named accused persons are not corroborated by the injury report. It is further submitted that the case of the petitioner stands on a similar footing to that of co-accused Prince Kumar who has been enlarged on bail vide order dated 3.1.2022 passed in Cr. Misc. No. 40987 of 2021. The petitioner is in custody since 20.2.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, grant of bail to the above two co-accused and submission of chargesheet in the instant case, the petitioner is directed to be enlarged on bail in connection with Nalanda P.S. Case no. 22 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bihar Sharif, District Nalanda.

(Partha Sarthy, J)

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