

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45931 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

1. Surendra Kumar @ Surendra Yadav S/O Late Darbari Yadav R/O Village-Chhatiyana Tola Gopalpur, P.S.- Makhdumpur, District- Jehanabad
2. Baban Kumar S/O Surendra Yadav @ Surendra Kumar R/O Village-Chhatiyana Tola Gopalpur, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners seek bail in connection with Makhdumpur P. S. Case No.223 of 2020, instituted for the offences under Sections 341, 323, 324, 325, 307, 379, 504 and 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are in custody since 13.06.2021, they are persons with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of assault made by the named accused persons in the F.I.R. on the persons of the informant's side.



The learned counsel for the petitioners submits that as far as petitioner no.1 is concerned, there is no specific allegation of assault. As far as petitioner no.2 is concerned, it is alleged that they assaulted Awadhesh Kumar Singh, Munna Yadav and Subham Kumar.

The learned counsel for the petitioners further submits that injury report of Subham Kumar and Munna Yadav are concerned, they are simple in nature. As far as injury of Awadhesh Kumar Singh is concerned, the same is recorded as deep lacerated wound on scalp 5"x 1/4 x up to bone abrasion on right leg and bodyache caused by hard blunt object.

The learned counsel for the petitioners submits that from the side of the petitioners also Makhdumpur P. S. Case No.224 of 2020 was instituted against the informant and others, as such, it is a case and counter-case.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioners are in custody since 13.06.2021, they are persons with clean antecedent, charge-sheet has been submitted in the case and injuries of Subham Kumar and Munna Yadav are simple while the injury on Awadhesh Kumar Singh is lacerated wound on scalp apart



from other injuries on non-vital part of the body, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No.223 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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