

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36201 of 2022**

Arising Out of PS. Case No.-65 Year-2022 Thana- SARE District- Nalanda

=====

Chintu Kumar, Son Of Chandu Bind, Resident Of Village- Kaila, P.S.- Sare,
District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State.

Let the defect(s) be removed within four weeks of the

complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with

Sare P.S. Case No.65 of 2022 instituted under Sections

341,323,324,326,307,504,506/34 of the Indian Penal Code.

As per the FIR, on 06.04.2022, the informant gave

statement at Referral Hospital, Asthawa stating that on

06.04.2022 at about 7.00 P.M., when the informant was at his

'Bathan', in the mean time, Satrudhan Kumar and Kanhaiya Bind

came with Honda Motorcycle and dashed him near the Masjid

due to which some altercation took place whereafter they started

assaulting. The villagers came to his rescue. After some time, the

said Satrudhan Kumar along with Chintu Kumar, Kanhaiya Bind

and Chandu Bind and other unknown 3-4 persons came



variously armed started assaulting him. The co-accused Shatrudhan Kumar repeatedly gave knife blow the informant causing injury on his body and he fell down in unconscious possession. When the villagers came, they fled away. The villagers took him to hospital.

Learned counsel for the petitioner submits that specific allegation has been made against Satrugan Kumar of giving repeated knife blow to the informant. It is his further case that the name of the petitioner has been dragged only because 3-4 days prior to the occurrence, he had a fight with the informant.

Learned APP on the other hand opposes the bail stating that multiple injuries have been found on the person of the informant.

Taking into account the aforesaid fact that specific allegation of repeated knife blow is on Satrugan Kumar, this petitioner has been found to be part of unlawful assembly, is in custody since 07.04.2022, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sare P.S. Case No.65 of 2022 to the satisfaction of learned Additional Chief Judicial Magistrate, Nalanda at Biharsharif, subject to following conditions:



(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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

