

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37601 of 2022**

Arising Out of PS. Case No.-556 Year-2021 Thana- DARBHANGA SADAR District-  
Darbhanga

=====

Sajjan Singh @ Sajjan Singh S/o Satyadeo Singh Resident of village-  
Makhnahi, P.S.- Sadar (Mabbi O.P), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.  
For the Opposite Party/s : Mr. Nirmala Kumari, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      17-10-2022              Learned counsel for the petitioner submits that due to inadvertence the date of custody is wrongly mentioned in paragraph no.13 as '28.04.2022' whereas the actual date of custody is '26.04.2022' as mentioned in the order sheet of Additional District and Sessions Judge-XI, Darbhanga, therefore, he seeks permission to correct the same.

Permission granted.

Remove the defect in course of the day.

Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with

Sadar (Mabbi O.P.) P.S. Case No. 556 of 2021, lodged under Sections 147, 148, 149, 341, 323, 324, 307, 325, 354, 504, 506 of the Indian Penal Code.

As per prosecution case, the informant has narrated his statement in D.M.C.H. and made allegation against the petitioner and 6 others that they are fully armed and visited to his house and, thereafter, started putting pressure for compromise and threaten that if no compromise was done they shall kill the informant's family, upon oppose the said petitioner has ordered to attack, due to which accused Gautam Singh has attacked on the head. Allegation against the petitioner is that he has attacked on the elder brother of informant by *farsa* twice, due to which there was two injury on his head and bleeding started.

Learned counsel for the petitioner submits that petitioner and informant both are agnates and there is a land dispute between them which transpires from the F.I.R. He further submits that from the rejection order of bail, learned Additional District and Sessions Judge-XI, Darbhanga has found only one injury on the head of alleged Babblu Singh and the said injury was lacerated wound and not a sharp cutting whereas allegation of attack by *farsa* on the head and cut is at

two places. He further submits that he has filed a supplementary affidavit in this case by which he has intimated to this Court that there is one criminal antecedent of petitioner in which he is on bail. Learned counsel for the petitioner further submits that petitioner is in custody since 26.04.2022 and the major sections is Section 307 I.P.C. and rest other sections are bailable.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No. 556 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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