

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38646 of 2022**

Arising Out of PS. Case No.-293 Year-2021 Thana- RAJNAGAR District- Madhubani

Md. Shamim Son of Md. Naim Resident of Village - Meran ,P.s.- Rajnagar,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rajnagar
P.S. Case No. 293 of 2021 registered for the offence under
Sections 341, 427, 504, 506, 323, 325, 308 and 34 of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.11.2021.

The allegation against the petitioner is to assault the
informant with “Farsa” on his hand, along with other co-accused
persons.



Learned counsel appearing on behalf of the petitioner submitted that allegation against the petitioner is to assault on the hand of the informant, which is not vital part of the body, from which it cannot be gathered that petitioner was under knowledge or committed act of such nature, which might cause death. It is submitted that maximum extending sentence upon conviction is three(3) years, where petitioner is in custody for about one (1) year. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence..

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation against this petitioner is to assault on the hand of the informant with spade, which is appearing not vital part of body coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rajnagar P.S. Case No. 293 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-Ist,
Madhubani/concerned court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

