

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43392 of 2022

Arising Out of PS. Case No.-196 Year-2022 Thana- MADHUBAN District- East Champaran

Raj Kumar Sah Son of Yodha Sah Resident of village - Madhuban, P.S.-
Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Madhuban P.S. Case No. 196 of 2022 registered for the offences
punishable under Sections 341, 323, 324, 307, 379, 354(B), 447,
504, 506 and 34 of the Indian Penal Code.

As per the prosecution, the informant alleged that this
petitioner along with other co-accused and unknown persons
assaulted the informant and his family members over a dispute
between both the parties.

The main submissions advanced by learned counsel



Mr. Abhishek Kumar appearing for the petitioner are that the instant matter relates to free fight that took place in between both the parties for which a case and counter case were lodged and the petitioner is alleged to have assaulted the injured namely Sita Ram Prasad and three injuries were found on his body, in which two have been opined to be simple in nature and one has been opined to be grievous in nature but simply a hairline fracture has been found on the body of the said injured and moreover the petitioner himself sustained injury in the alleged occurrence of free fight and his injury report has been filed as Annuxure-2/1 which also shows that he sustained one sharp cut injury.

Learned APP Mr. Bharat Lal appearing for the State has opposed the bail prayer.

In view of the above submissions and mainly considering the petitioner's plea as to free fight having taken place in between both the parties and in this regard the petitioner's own injury report submitted as Annuxure-2/1 is corroborative to the petitioner's said plea and also taking into account petitioner's custody period, in my view a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.



10,000/-(Ten Thousand) with two sureties of the like amount
each to the satisfaction of concerned Court in Connection with
Madhuban P.S. Case No. 196 of 2022.

(Shailendra Singh, J.)

Prashant/-

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