

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52935 of 2021**

Arising Out of PS. Case No.-313 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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VICKY SRIVASTAVA @ RAJMANI @ BHIKHU MAHATRE SON OF
RANJIT KUMAR SHRIVASTAVA RESIDENT OF VILLAGE-
SONVARSHA CHOUK MUSAPUR WARD NO. 5 P.S - SAMASTIPUR
MUFFASIL DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 10-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 313 of 2020, instituted for the offences under
Sections 341, 323, 324, 325, 326, 307, 504, 379/34 of the Indian
Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 25.07.2020, charge-sheet has been
submitted and allegation is of firing by the petitioner causing
fracture injury on the thigh of the informant.

The learned counsel for the petitioner submits that



though the allegation is of firing causing fracture injury on thigh of the petitioner but from the injury report, it would manifest that the doctor have recorded pain and swelling in left thigh swelling in both elbow joint, fracture in left thigh, age of injury within six hours, nature of injury grievous, referred to DMCH, Darbhanga or PMCH, Patna or higher centre but the injury report does not even remotely suggest that the same was caused by fire arm. The learned counsel thus submits that had the injury been caused by fire arm, then definitely the same would have been recorded in the injury report.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact that the petitioner is in custody since 25.07.2020, charge-sheet has been submitted and the injury report does not disclose the injury to be caused by fire arm, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, XI, Samastipur, in connection with Muffasil P.S. Case No. 313 of 2020 (Sessions Trial No. 114 of 2021), with a condition that one of the bailor shall be the mother of the



petitioner (Madhu Ranjan Srivastava).

The application stands allowed.

(Satyavrat Verma, J)

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