

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43755 of 2022

Arising Out of PS. Case No.-342 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

-
1. Pradip Sharma @ Pradeep Sharma Son of Late Naina Sharma Resident of Village - Milki tola, Parora, P.S. K. Nagar, District - Purnea.
 2. Navin Kumar Son of Pradip Sharma Resident of Village - Milki tola, Parora, P.S. K. Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioners seek regular bail in connection with K. Nagar P.S. Case No. 342 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, and 506/34 of the Indian Penal Code.

As per the prosecution, the informant and her husband were assaulted by these petitioners along with other co-accused persons. Further it is alleged that petitioner No. 1 inflicted a



Dabiya injury at the informant's husband due to which he sustained injury on his head.

The main submissions advanced by learned counsel Mr. Bijendra Kumar Singh appearing for the petitioner are that against the petitioner No. 2 there is no specific allegation and the petitioner No. 1 is alleged to have assaulted the informant's husband by means of Dabiya but the injuries found on the body of the informant's husband have been opined to be caused by hard and blunt object by the Doctor concerned, which is not corroborated to the allegation made against the petitioner No. 1 and between the petitioner No. 1 and the husband of the informant who are full brothers a land dispute is running and in order to create pressure upon the petitioners the present case was falsely lodged.

Learned APP Mr. Amitesh Kumar appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the injury report of the informant's husband. There is a specific allegation against the petitioner No. 1 that he allegedly inflicted the Dabiya blow at the head of the informant's husband and the informant's wife was also assaulted by accused persons when she tried to save her husband and the injuries of the informant's



husband have been opined to be grievous in nature as it appears from the perusal of Annexure-2. Considering the nature of allegation appearing against the petitioner No. 1, in the opinion of this Court the petitioner No. 1 does not deserve to the privilege of bail. Accordingly, his prayer for bail stands rejected. So far as the prayer of the petitioner No. 2 is concerned as against him there is no specific allegation in the FIR and he is simply alleged to be a member of the accused persons at the time of commission of the alleged occurrence, hence a lenient approach can be taken in respect of his prayer. Accordingly, let the petitioner No. 2 be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with K. Nagar P.S. Case No. 342 of 2020.

(Shailendra Singh, J.)

annu/-

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

