

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52958 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- SAKURABAD District- Jehanabad

Vijay Kumar Son Of Late Ram Payare Singh R/O Village- Daroga Bigha,
P.S.- Shakurabad, District- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nitya Nand Neeraj
For the State	:	Mr. Harendra Prasad
For the Informant	:	Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-02-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sessions Trial No.224 of 2021 arising out of Shakurabad P. S. Case No.44 of 2021, instituted for the offences under Sections 341, 323, 325, 307, 504, 506, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 02.06.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant (Arvind Kumar) alleges that on 26.03.2021, he had



gone to demand masur from Birendra Kumar at 6.00 P.M., but he denied and started abusing the parents of the informant. It is next alleged that Birendra Kumar and petitioner assaulted him leading to injury on head. The injury was caused on account of assault by the petitioner for which the informant was treated at Shakurabad Primary Health Centre.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that on a trivial issue the occurrence took place, no doubt the allegation is of assault and the injury is said to be grievous, but the blow was not repeated and the petitioner is a person aged about 45 years and prior to this case was never implicated in any other case. It is further submitted that the occurrence took place at the spur of the moment and petitioner without realizing assaulted.

The learned counsel for the informant and learned A.P.P. for the State opposes the bail application and submits that there is specific allegation of assault against this petitioner on the head of the informant leading to grievous injury.

The learned counsel for the petitioner submits that no doubt, the injury is alleged to be grievous, but the informant was discharged from the Primary Health Centre after initial



treatment.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and it is his first offence, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Md. Zeeshan Chand, learned J.M., 1st Class, Jehanabad in connection with Shakurabad P. S. Case No.44 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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