

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54400 of 2021**

Arising Out of PS. Case No.-488 Year-2020 Thana- PHULWARISHARIF District- Patna

MONU KUMAR @ DISKONIYA S/o- RAJU @ RAJ KUMAR Resident of  
Village- Utari Sangatpar, Kumhar Toli, Phulwarisharif, P.S.- Phulwarisharif,  
Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.  
For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      04-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 354, 506 and 34 of the Indian Penal Code.

As per the prosecution case, on 18.8.2020 at 6 p.m., when the daughter of the informant was returning home, the petitioner misbehaved with her, misbehaved with the informant's elder daughter, indulged in hurling abuses and on the neighbours coming, he also took out his pistol and threatened that the informant daughter's should be married to him. It is further stated that on the informant going to protest with respect to the occurrence before the parents of the petitioner, the informant was threatened.

It is submitted by learned counsel for the petitioner



that from perusal of the F.I.R. itself, it would transpire that no person has been injured in the alleged occurrence. For an occurrence said to have taken place on 18.8.2020, no information with respect to the same was given to any person and the F.I.R. was lodged without any explanation whatsoever after a delay of nearly twenty days on 7.9.2020 inspite of the police station being just a kilometer from the place of occurrence. The petitioner has remained in custody since 18.3.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the delay in lodging of the F.I.R. together with the petitioner having remained in custody for more than 1 year and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Phulwarisharif P.S. Case no.488 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IX, Patna.

**(Partha Sarthy, J)**

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