

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45939 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Amarjeet Kumar Son Of Hari Mohan Yadav R/O Village- Gausa, P.S.- Sadar,
District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi, Advocate
For the Opposite Party/s : Ms.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-12-2022 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 learned

APP for the State.

Petitioner seeks regular bail in connection with Darbhanga

Sadar (Sonki O.P.) P.S. Case No. 247 of 2022 registered for the

offences punishable under Sections 341, 323, 307, 504, 506 and

34 of the Indian Penal Code.

As per the prosecution, the informant and his family

members were assaulted by this petitioner along with other co-

accused persons and this petitioner is alleged to have assaulted

the informant by means of knife at his head.

The main submissions advanced by learned counsel Mr. Iqbal Asif Niazi, appearing for the petitioner are that two co-accused persons namely Hari Mohan Yadav and Aman Kumar have been granted bail by this bench vide orders passed in Cr. Misc. No. 43897 of 2022, though as per the FIR this petitioner was alleged to have assaulted the informant namely, Baliram Yadav by means of a knife but during the course of investigation the informant himself filed a petition before the investigating officer revealing that he was not medically treated at the hospital concerned though he was admitted in the said hospital and the said admission of the informant reveals that he did not sustained any serious injury in the alleged occurrence. Further submission is that in between both the parties there is a land dispute and the petitioner was not alleged to have assaulted the informant repeatedly and he has been languishing in jail since 14.05.2022 having clean antecedent.

Learned APP Ms. Madhuri Lata, appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR. A land dispute in between both the parties appears and the same was stated to be the genesis of the occurrence. Though as per the FIR the petitioner allegedly inflicted a knife blow at the head of the

informant but as per the statement made in Paragraph No. 16 of the petition the informant gave a petition before the investigating officer revealing the fact that he did not get himself treated at the hospital and in support of the said facts Annexure- 4 has been filed. Considering all these facts and mainly taking into account the defence taken by the petitioner mentioned in Paragraph Nos. 15 and 16 of his petition, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner 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 concerned Court in connection with Darbhanga Sadar (Sonki O.P.) P.S. Case No. 247 of 2022.

(Shailendra Singh, J.)

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