

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46881 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- BATH District- Bhagalpur

Binod Paswan Son of late Chhedi Paswan Resident of village -
Abhamukhatarpur, P.S. bath, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ranjan Kumar Jha, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Bath P.S.
Case No.4 of 2022 registered for the offence under Sections
341, 323, 325, 307, 379, 504 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.03.2022.

The allegation against the petitioner is to assault the
husband of informant by using '**khanti**' having intention to
cause death, due to previous enmities arising out of
neighborhood disputes and differences.

Learned counsel appearing on behalf of the petitioner
submitted that the alleged assault was made on the non-vital part
of the body of injured, causing simple injury, as such sufficient
to suggest that assault was not made with an intention to cause



death. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as injury, which is simple appearing on the non-vital part of the body of injured, negating intention to cause death coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 26.03.2022, let above named petitioner is directed to be released on bail in connection with Bath P.S. Case No.4 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIII, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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