

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.57396 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- PAROO District- Muzaffarpur

Suresh Singh, Son of Late Dharikshan Singh, Resident of Village - Gayaspur,
P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-04-2022 Learned counsel for the petitioner is permitted to make necessary correction in para 1 and the prayer portion of the bail application.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

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

The petitioner seeks regular bail, who is in custody in connection with Paroo P.S. Case No. 163 of 2021 for the offences punishable under Sections 341, 323, 325, 379, 504, 506/34 of the Indian Penal Code. Later on, Section 307 of the



Indian Penal Code has been added.

The prosecution case as alleged in the F.I.R. is that on the alleged date of occurrence all the named accused persons including this petitioner armed with weapons started assaulting the informant and one Sonu. It is alleged that this petitioner assaulted the informant and Sonu Kumar with Iron rod, which resulted into fracture of the hand.

It is submitted on behalf of the learned counsel for the petitioner that the petitioner having no criminal antecedent and prior to this case this petitioner had filed one Paroo P.S. Case No. 148 of 2021 and this case is nothing but a retaliation of the earlier case. It is also submitted that one another case has also been instituted against the accused persons wherein son of the petitioner is witness. Learned counsel for the petitioner has drawn the attention of this Court towards the injury report, which has been brought on record by way of Annexure-2. From perusal of the injury report it appears that the injury caused to Sunil Singh is simple in nature and so far as injury received on Manoj Singh is concerned that has also been found simple in nature and the injury received on Sonu Kumar is though grievous in nature but the same has not been received on vital part of the body. It is further submitted on behalf of the learned



counsel for the petitioner that investigation has already been concluded and charge-sheet has also been submitted. The petitioner is in custody since 19.07.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having considered the submissions and taking into consideration the fact that the injury caused to the injured persons are not on vital part of the body and the petitioner having no criminal antecedent and is in custody since 19.07.2021, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, West Muzaffarpur in connection with Paroo P.S. Case No. 163 of 2021 subject to the condition that one the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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