

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.58480 of 2021**

Arising Out of PS. Case No.-29 Year-2021 Thana- NAYAGAON District- Begusarai

Mukesh Singh, S/o Late Parmanand Singh, R/o village- Nayagaon, P.S.-  
Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

**ORAL ORDER**

2      07-04-2022              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 Nayagaon P.S. Case No. 29 of 2021 for the  
offences punishable under Sections 341, 323, 504, 307, 506/34  
of the Indian Penal Code.

As per prosecution case, it is alleged that the  
informant gave a written report to the concerned police station  
alleging therein that all the six named accused persons came at  
the place of occurrence and started assaulting his brother and



nephew with the help of pistol, Lathi and Danda. It is further alleged that unknown persons came with JCB with intention of kill them. It is further alleged that the accused persons assaulted Raushan Kumar over his head, causing head injury.

It is submitted on behalf of learned counsel for the petitioner that there is general and omnibus allegation against the petitioner and there is no specific allegation has been attributed against him. 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 and it is submitted that from bare perusal of the same it appears that the injured Rohit Kumar and Roushan Kumar have sustained simple injuries. So far as injury caused over the body of Rohit Singh is concerned, only one injury has been found to be grievous in nature, which is caused over his left wrist joint and not on vital part of the body. It is next submitted that the petitioner has got no criminal antecedent and he is in custody since 30.05.2021 and moreover the investigation has already been concluded and charge-sheet has also been submitted in this case.

On the other hand, learned APP for the State has vehemently opposed the bail application of the petitioner that



though there is general and omnibus allegation, but three persons have received injuries on their vital part.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioner and the injuries sustained to all the injured persons have been found to be simple in nature, except one of the injuries sustained to Rohit, which is grievous in nature and the same is inflicted on the left wrist joint, 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 learned Judicial Magistrate, 1<sup>st</sup> Class, Begusarai in connection with Nayagaon P.S. Case No. 29 of 2021 subject to the condition that one of 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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