

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59256 of 2021

Arising Out of PS. Case No.-259 Year-2021 Thana- LALGANJ District- Vaishali

DINESH SINGH @ DINESH KUMAR SINGH S/O LATE DEEP
NARAYAN SINGH R/o village- Jaitipur, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dharendra Narain Mallik, Advocate
For the Opposite Party/s :	Mr. Dashrath Mehta, APP
For the Informant :	Mr. Ritesh Abhishek, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

Lalganj P.S. Case No. 259 of 2021 was instituted
under Section 341, 323, 324, 504 and 506/34 of the Indian Penal
Code.

The informant alleges that on 28th of July, 2021, when
he was sitting at his Poultry Farm accused persons came there
and thereafter it is alleged that this petitioner inflicted ‘hasua’
blow on the informant, who raise his hand for defence causing
injury. The petitioner inflicted another ‘hasua’ blow which
cause cut injury below the shoulder. It was in this circumstances
the FIR came to be instituted and the petitioner came into
judicial custody since 20th of July, 2021.



Learned Senior counsel, who appears on behalf of the petitioner submits that it was mere scuffle between the two parties for which cases were lodged. There was no intention to kill and/or cause any grievous injury which reflects from the injury report where the doctor has opined that the same to be simple in nature. He further submits that although he has criminal antecedent, already is in jail since 20th of July, 2021 and as such he deserve bail.

Mr. Ritesh Abhishek, learned counsel for the informant as well as learned counsel for the State submits that the petitioner repeatedly assaulted the informant which shows his bad intention. He also has criminal antecedent and as such he does not deserve bail.

Taking into account that the injuries that has been opined by the doctor to be simple in nature and the petitioner is in jail since 20th of 2021, let him be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of ACJM-IX, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 259 of 2021, subject to the following conditions :-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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