

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63787 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- MARAUNA District- Supaul

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1. NARAYAN PANDIT SON OF NATHUNI PANDIT R/O VILLAGE-SIRAJPUR, WARD NO.12, P.S.- MARAUNA, DISTRICT- SUPAUL, STATE- BIHAR
 2. HARISHCHANDRA PANDIT @ HARICHARAN PANDIT @ HARICHANDRA SON OF NATHUNI PANDIT R/O VILLAGE-SIRAJPUR, WARD NO.-12, P.S.- MARAUNA, DISTRICT- SUPAUL, STATE- BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 18-04-2022

Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 307, 341, 323, 325, 379, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated that the petitioner no.1 started to abuse and assault the wife and son of the informant and on being confronted called his other brothers which included the petitioner no.2. It is further stated that as a result of assault the son of the informant fell down unconscious and even thereafter the petitioner no.1 continue to assault the him. The petitioner no.2 along with one another took away the



silver ornaments of informant's wife. The informant states that his son was referred for better treatment to DMCH, Darbhanga where his treatment is going on.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. From perusal of the injury report of the son of the informant namely Santosh Kumar Rai, Annexure-2 to the petition, it would transpire that four of the five injuries have been found to be simple in nature and the so called grievous injury caused by the hard and blunt substance is on a nonvital part of the body being pain and swelling on the knee joint. The petitioners are in custody since 10.3.2021 and have no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only both the petitioners are named in the FIR but there is direct allegation against them of having assaulted the son of informant and having caused grievous injury.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegation in the FIR together with the injury report of the son of the informant which is



Annexure 2 to the petition and the petitioners having remained in custody for over 1 year, the Court directs the petitioners to be enlarged on bail in connection with Marauna P.S. Case no. 131 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 6th, Supaul.

(Partha Sarthy, J)

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