

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64154 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- BIND District- Nalanda

Binod Pandit, S/O Gauri Pandit, R/o village- Jamsarai, P.S.- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Amitesh Kumar, APP
For the informant	:	Mr. Ganesh Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bind P.S. Case No. 114 of 2020 registered for the alleged offences under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with co-accused assaulted the informant, his brother and his nephew with “*hasua*” and “*lathi*.”

The learned counsel for the petitioner submits that a



minor altercation took place between the informant's brother and the petitioner resulting in scuffle. For the same occurrence, wife of the petitioner has also filed a case being Bind P.S. Case No. 115 of 2020 and the case has been registered under the same sections as the case of the informant. The learned counsel further submits that even the injuries on informant and his brother have been found to be simple in nature, whereas, one of the injuries on the nephew of the informant is said to be grievous in nature caused by sharp pointed weapon. The other co-accused, namely, Vina Devi has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 01.11.2021 passed in Cr. Misc. No.22619 of 2021 and the petitioner is in custody since 03.09.2021.

Learned APP opposes the submission made on behalf of the petitioner.

Having regard to the submissions made hereinabove and considering the fact that there is a case and counter case between the parties for the same occurrence and the injuries are more or less simple and non-serious and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Nalanda at Biharsharif in connection with Bind P.S. Case No. 114 of 2020, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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