

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55674 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- KHUDWA District- Aurangabad

RAMANAND SINGH @ NETAJEE @ NITESH SON OF LATE NAND
KISHORE SINGH Resident of Village- Lahsa, Police Station- Khudwan,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Khudwan
P.S. Case No. 10 of 2021, registered for the offence under
Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.05.2022.

The allegation against the petitioner is to assault the
informant and other persons along with other co-accused persons,
while equipped with lathi, iron road, sabal, etc. having intention



to cause death of the informant and others, due to long standing land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is nothing but free fight between the parties, where, both the parties received injuries, as such, it can be safely gathered that petitioner was not under intention to cause death. It is further submitted that co-accused, namely, Brij Kishore Singh, who assaulted with iron rod on head, has already been granted bail by one of the learned co-ordinate Bench of this Court, through Cr. Misc. No. 51543 of 2021 dated 08.08.2022, whereas, the allegation against this petitioner is to assault on the leg, which is non-vital part of the body, where, alleged injury caused by this petitioner is simple in nature, which further suggest that this petitioner was not under intention to cause death. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as occurrence was free fight, where, alleged injury caused by this petitioner is on the non-vital part of the body,



having simple in nature coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khudwan P.S. Case No.10 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

