

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68764 of 2021**

Arising Out of PS. Case No.-416 Year-2020 Thana- DIGHA District- Patna

VISHAL KUMAR S/o- Sri Manager Prasad Resident of Village- Yadubanshi  
Nagar, Ashiyana Road, Digha ghat, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                  |
|----------------------------|----------------------------------|
| For the Petitioner/s :     | Mr. Vijay Kumar Sinha, Advocate  |
| For the Opposite Party/s : | Mr. Prem Kumar Jha, APP          |
| For the Informant :        | Mr. Pramod Kumar Yadav, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      17-05-2022                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

The petitioner has preferred this application for grant  
of regular bail in a case registered under section 307 and other  
sections of the Indian Penal Code.

As per the prosecution case, it is stated by the  
informant that the accused Manager Rai along with 15-20  
antisocial elements variously armed with pistol and other  
weapons came with the intention to kill him. The accused  
persons attacked the son of the informant. Manager Rai struck  
the informant with a hockey stick on his head as a result of  
which he fell down unconscious. Thereafter, it is stated that  
Manager Rai, Pappu Rai, Katori Rai and Guddu Rai started to



hurl filthy abuses. All these were recorded in the camera. His sons Manish Singh and Anmol Singh were injured. Anmol Singh was struck with an iron rod.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the son of Manager Rai. In spite of a detailed description of the occurrence wherein the informant names the four accused persons, the petitioner was not named as an accused in the FIR. His name transpired in course of investigation where he is alleged to have given a blow on the informant's son Anmol Singh. The petitioner is in custody since 14.8.2021 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the name of the petitioner transpired in course of investigation when the injured Anmol Singh has stated that it was the petitioner who struck with an iron rod causing grievous injury. It is further submitted that the investigation in the case is complete and chargesheet has been submitted under section 307 of the Indian Penal Code and as such the application of bail be rejected.

Having heard learned counsel for the parties and



taking into consideration the fact that the petitioner is not named in the FIR inspite of a detailed description having been given by the informant together with the petitioner having remained in custody for about 9 months and the investigation in the case having been completed, the petitioner is directed to be enlarged on bail in connection with Digha P.S. Case no. 416 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Patna.

**(Partha Sarthy, J)**

Spd/-

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