

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70688 of 2021

Arising Out of PS. Case No.-201 Year-2020 Thana- THARTHARI District- Nalanda

JAY KUMAR Son of Sri Kishori Chauhan Resident of Village - Basta, P.S. -
Tharthari, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard.

The petitioner seeks regular bail in connection with Tharthari P.S. Case No. 201 of 2020, registered for the offence punishable under sections 341, 323, 324, 354, 307, 504, 506, 379 and 34 of the Indian Penal Code.

The case of the prosecution in brief is that on 21.10.2020 at about 5.30 p.m. the petitioner and one other co-accused person were cutting a coconut tree in a field whereupon the informant along with his wife had arrived there and a row haw erupted. It is further alleged that when the informant and his wife had stopped them from cutting the trees, the co-accused person namely Akhilesh Chauhan had inflicted a blow by a sharp weapon on the right hand of the wife of the informant resulting in her receiving injury.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 23.09.2021. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, he has not been alleged to have engaged in any sort of overt act and the main accused in the present case, who had inflicted blow by a sharp edge weapon upon the wife of the informant, is Akhilesh Chauhan.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have engaged in any sort of overt act apart from the fact that he is languishing in custody since nine months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond



of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate I, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 201 of 2020.

(Mohit Kumar Shah, J)

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