

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71473 of 2021

Arising Out of PS. Case No.-467 Year-2021 Thana- JAKKANPUR District- Patna

CHHOTU KUMAR Son of Niranjana Prasad Resident of Village- Pachmo,
P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Jakkanpur P.S. Case No. 467 of 2021 registered under Sections
341, 342, 323, 324, 307, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is in custody since 29.09.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that he was called by petitioner and Pankaj to
receive his money and when informant reached the place of
occurrence and met Vijay and Rahul, relative of the petitioner,
who were also present at the place of occurrence from before
and a quarrel started in which Pankaj, Chandan and Vijay
alongwith 5-6 unknown assaulted him by knife and rod, further



petitioner and Chandan assaulted by knife at the back of the informant causing injury and Pankaj assaulted by knife causing injury on hand.

Learned counsel for the petitioner submits that from perusal of the impugned order it would manifest that the learned court below has recorded that the doctor has found one injury on the chest caused by sharp cutting weapon, it is, thus, submitted that though in the F.I.R. it is alleged that the accused person assaulted the informant by knife on his back and hand but there is only one injury inflicted to the petitioner and that too is simple in nature.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that case diary is required in the present case, on which the learned counsel for the petitioner submits that he has a copy of case diary, the same was perused by the learned A.P.P. and after perusing it was found that there were multiple injuries found on the body of the informant, though which are simple in nature but the doctor has reserved his opinion.

Considering the fact that the petitioner is in custody since 29.09.2021, is a person with clean antecedent and charge-sheet has been submitted in the case and the injuries has been



recorded to be simple though opinion has been reserved, let the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jakkanpur P.S. Case No. 467 of 2021, with a condition that one of the bailors shall be the father of the petitioner Niranjan Prasad.

The petitioner shall be released after framing of charge, if the charges have been framed, then petition will be released forthwith.

(Satyavrat Verma, J)

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