

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1144 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

JITENDRA RAM Son of Bal Kishun Ram Resident of Village- Isha chhapra,
P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 30-08-2022 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 Sahebganj
P.S. Case No. 202 of 2021 registered for the offence under Sections
341, 323, 325, 307, 354(B) and 379 of the I.P.C.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.05.2021.

The allegation against the petitioner is to outrage the
modesty of the wife of informant and also assault with rod, causing
injury, with intention to cause death.

Learned counsel appearing on behalf of the petitioner
submitted that the allegation is limited to outraging modesty, where
allegation under section 307 is to aggravate the allegation. It is



further submitted that the alleged assault is on non-vital part of the body negating thereof, intention to cause death. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the injuries which were found grievous are on non-vital part of the body.

Considering the facts and circumstances as mentioned above, and also as injuries were on non-vital part, negating intention, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sahebganj P.S. Case No. 202 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 A.C.J.M.-I, West Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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