

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.758 of 2022

Arising Out of PS. Case No.-40 Year-2019 Thana- BELCHHI District- Patna

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Bachchu Ravi Das aged about 65 years S/o late ghutun ravi das r/o korarai,
p.s. Belchhi, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-07-2022 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 Belchhi
P.S Case No. 40 of 2019 registered for the offence under
Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.11.2021

The allegation against the petitioner is to assault the
informant and others with deadly weapons as knife with
intention to cause death.

Learned counsel appearing on behalf of the petitioner
submitted that the occurrence was a free fight between the



parties due to land dispute and there was a counter case by petitioner also, as regard to the same occurrence. It is submitted that the injury caused by the petitioner is simple in nature and not repeated, which negate the intention to cause death. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that the injury is single and nature is simple.

Considering the facts and circumstances as mentioned above, as nature of injury is simple and not repeated, negating the intention to cause death coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Belchhi P.S Case No. 40 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh (Patna)/concerned Court, subject to the following conditions:

“(i) Accused/Petitioner shall



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Rina Devi, who is the sister-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shweta/-

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