

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8089 of 2023

Arising Out of PS. Case No.-365 Year-2021 Thana- KATEYA District- Gopalganj

Shri Ram Singh @ Shriram Bhagat, Son of Late Sunar Singh, R/o Semaria
Darjipatti Tola, P.S.- Kateya, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 15-05-2023 The applicant/accused in Crime No. 365 of 2021 registered with Kateya Police Station for the offence punishable under Sections 341, 323, 427, 447, 325, 504, 506, 147, 149 and 307 of the Indian Penal Code, in pursuant to the private criminal complaint lodged by complainant Murti Devi, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides.

After taking medical treatment, complainant Murti Devi had lodged private criminal complaint against accused persons including the present applicant which has resulted in registration of the crime in question in pursuant to the order passed under Section 156(3) of the Cr.P.C. by the learned Magistrate.



According to the prosecution case, the applicant and other accused persons came to the door of complainant Murti Devi and assaulted her by means of stick fitted with the iron cover and caused fracture to her right temporal bone.

It is seen that there was only one blow of the stick on head of the injured complainant. It is reported that she is now perfectly alright. Thus, there is no chance of the offence travelling to more grievous than the one punishable under Section 307 read with Section 149 of the IPC. Hence, further pre-trial detention of the applicant is not warranted and therefore, the following orders:-

(i). The application is allowed.

(ii). The applicant/accused in Crime No. 365 of 2021 registered with Kateya Police Station for the offence punishable under Sections 341, 323, 427, 447, 325, 504, 506, 147, 149, 307 of the Indian Penal Code, be released on bail on executing P.R. Bond of Rs.10,000/- (Rupees Ten Thousand) and on furnishing two sureties of the like amount to the satisfaction of the Trial Court with the following conditions :-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the Trial Court in expeditious disposal of the trial against him.

(III) The applicant/accused should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(IV) The applicant/accused should not tamper prosecution evidence in any manner.

(A. M. Badar, J)

Saurabhkrsinha/
Aditi/-

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