

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4897 of 2023

Arising Out of PS. Case No.-1004 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

Sanjay Kumar @ Sanjay Sah, Son of Late Lakhan Tanti, Resident of G.N.
Mukherji Road, Bhikhanpur, Bhagalpur, P.S.- Ishakchak, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Kotwali
(Tilkamanjhi) P.S. Case No.1004 of 2022 registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
307, 379 and 427 of the Indian Penal Code.

Allegation against the petitioner is to assault
informant and others along with co-accused persons by means
of rod, sword etc. where occurrence arises out of dispute
regarding immersion of idol.

It is submitted by learned counsel appearing on



behalf of petitioner that petitioner has been implicated out of local enmities, where it is alleged that he caused sword injury on head of informant. It is submitted that said head injury is single without having any intervening circumstances and, as such, the import of provision of section 307 of the Indian Penal Code is not appearing convincing on its face and just to aggravate allegation same is appearing to be imported. It is further submitted that the nature of injury which is reported after medical examination is simple and same is not sufficient to cause death of informant in ordinary course of nature. While concluding argument, it is pointed out that the petitioner is a man of clean antecedent.

Learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances and by taking note of nature of allegation as regard to assault *qua* nature of injury, which appears simple, accordingly, in the event of arrest or surrender in the court below within a period of four weeks of this order, the above-named petitioner is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with



Kotwali (Tilkamanjhi) P.S. Case No.1004 of 2022, subject to the
conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

