

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20292 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Pradeep Kumar @ Pradeep Kumar Singh, aged about 33 years, male, S/O
Munshi Lal Singh R/O Village- Virsahiya, P.S- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Sumiran Rai, Advocate
For the State	:	Mr. Jai Narain Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 274 of 2021 dated 01.08.2021
registered for the offence punishable under Sections 341, 323,
324, 504, 506, 447, 307, 385, 354, 379 and 147 of the Indian
Penal Code.

The allegation against the petitioner is that he has
assaulted with *farsa* on the head of the son of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent who has been falsely implicated in this
case. The petitioner and informant are agnates and next door
neighbours and there is land dispute between them. He further
submits that this case is a counter case filed by the informant in



defence of Bibhutipur P.S. Case No. 268 of 2021 dated 27.07.2021 whose informant is petitioner's Aunt Sita Devi. He has submitted that the occurrence took place on 23.07.2021. However, the FIR was registered on 01.08.2021 without explaining the reason of delay. He further submits that Section 307 of the IPC is not made out as there is no repeated blow. The allegation of the theft is ornamental. Learned counsel further submits that the petitioner has no criminal antecedent and is in jail custody since 14.12.2022. Charge sheet has already been submitted.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Rosera in connection with Bibhutipur P.S. Case No. 274 of 2021.

(Sunil Dutta Mishra, J)

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