

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27894 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- PHENHARA District- East Champaran

SUJEET KUMAR SINGH Son of Sri Harichandra Singh R/V- Ibrahimpur
Pasuni, PS- Fenhara and Dist- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Aditya Prakash Sahay, Advocate

For the Opposite Party/s : Mr Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **25-05-2023** Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Fenhara Police Station (for brevity, **PS**) Case No 107 of 2022 dated 10.07.2022 registered for the offence punishable under Sections 341, 323, 307, 379, 447, 504, 506/34 of Indian Penal Code.

As per the prosecution case, the petitioner along with other co-accused persons armed with lathi and iron rod came to



the house of the informant and started abusing. On being protested by the informant, the co-accused Ankit Kumar Singh hit him on his head with iron rod. The nephew of the informant who came to save him, was also assaulted by the co-accused Ankit Kumar Singh on his head by iron rod. The accused persons also threatened to kidnap the informant's son and implicate the informant in false case.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one more criminal case, as stated in paragraph 3 of the bail petition in which he is on bail. It is further submitted that there is general and omnibus allegation against the petitioner. The petitioner is an order giver. The specific allegation of assault is against the co-accused Ankit Kumar Singh. The petitioner is in custody in this case since 09.03.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/-



(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VIII, East Champaran at Motihari in Fenhara PS Case No 107 of 2022 dated 10.07.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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