

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28512 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- PAHARPUR District- East Champaran

Ajay Singh Son Of Lalbahadur Singh R/O-Lakhanipur, P.S.-PAHARPUR,
Distt.-EAST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No.215 of 2022 registered for the offence
under Sections 341, 323, 324, 307, 354-B, 379, 504, 506 and 34
of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 24.01.2023.

4. The allegation against the petitioner is to assault
informant and others alongwith other co-accused person/family
members by causing head and bodily injuries, having intention
to cause their death, where occurrence arises out of land
disputes.

5. Learned counsel appearing on behalf of the



petitioner submitted that present case was lodged to implicate petitioner as to counter Paharpur P.S. Case No. 210 of 2022. It is submitted that parties are agnate and dispute arises out of land disputes. It is further submitted that petitioner alleged to be equipped with *farsa* (a sharp edged cut weapon), which by any probability cannot cause lacerated wound, as it is found upon injured Upendra Singh, makes allegation doubtful on its face. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of nature of allegation, where injury not appears to be corroborating with the nature of weapon alleged to be used to cause said injury, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 24.01.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Paharpur P.S. Case No.215 of 2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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