

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30765 of 2023

Arising Out of PS. Case No.-68 Year-2021 Thana- SINGHIYA District- Samastipur

KAMLESH SAHU Son of Late Shiv Shankar Sahu Resident of village -
Aakopur, P.S. - Singhiya, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Kumar Mishra, Advocate
For the State	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Raja Ram Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-06-2023 The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Singhiya P.S. Case No. 68 of 2021 registered under Sections 147, 148, 307, 323, 337, 341, 354, 379 and 504 of the Indian Penal Code inasmuch as the earlier petition of the petitioner for grant of bail was disposed of as not pressed by this Court vide order dated 30.01.2023 passed in Criminal Misc. No. 61006 of 2022.

As per the allegations levelled in the F.I.R., when the informant was at her maize field, several accused persons including the petitioner came there and started harvesting the maize crops and on protest being made by the informant, accused persons started abusing and assaulting her. It is



also alleged that when the mother and brother of the informant came there to rescue her, they were also beaten up by the accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 26.07.2022. The learned counsel for the petitioner has further submitted that the injured person is hale and hearty and the charges have also been framed on 21.04.2023, hence the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. appearing for the State as also the learned counsel appearing for the informant have though vehemently opposed the prayer for bail but it is not denied by the learned counsel for the informant that at the moment, the injured person is in a good condition and that this Court had granted liberty to the petitioner to approach this Court for renewal of his prayer for bail after framing of charges.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since about a year, though I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to verification of his criminal antecedents by the learned trial court.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-1st, Rosera, Samastipur in connection with Singhiya P.S. Case No. 68 of 2021 (S.T. No. 195 of 2023).

(Mohit Kumar Shah, J)

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