

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31238 of 2023

Arising Out of PS. Case No.-233 Year-2020 Thana- BARUN District- Aurangabad

SANJIV KUMAR Son of Budhdev Paswan Resident of Village - Karamdih,
P.S.- Barun, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barun
P.S. Case No. 233 of 2020 registered for the offence under
Section 448, 341, 147, 323, 307, 506 and 504 of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.02.2023.

The allegation against this petitioner is to assault
informant and others alongwith other co-accused persons/family
members, where assault alleged to cause collectively, causing
bodily and head injuries without specifying any weapons,



where occurrence arises out of land dispute.

Learned counsel appearing on behalf of the petitioner submitted that the allegation as to cause bodily injuries by means of unspecified weapons, appearing very much general and omnibus and same is apparent from the face of F.I.R. It is submitted that similarly situated co-accused persons, namely Bablu Kumar and Dablu Kumar have already granted bail by learned co-ordinate Bench of this Court through Cr. Misc. No. 65786 of 2022 vide order dated 20.03.2023. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposed the prayer of bail.

Considering the facts and circumstances as mentioned above, as by taking note of the fact, as allegation *qua* physical assault is appearing very much general and omnibus against this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 08.02.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Barun P.S. Case No. 233 of 2020 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 Aurangabad/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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