

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32864 of 2022

Arising Out of PS. Case No.-63 Year-2019 Thana- BUDHUCHAK District- Bhagalpur

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SUMIT KUMAR Son of Late Darogi Singh Resident of Village - Gaughatta,
P.S.- Buddhuchak, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 09-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with Buddhuchak PS case no. 63 of 2019 instituted for the
offences punishable under Sections 341, 323, 324, 379, 504/34
of the Indian Penal Code.

The allegation as per the First Information
Report is that the accused persons including the petitioner
herein had surrounded the informant, whereafter the petitioner is
stated to have inflicted knife blow on the stomach of the
informant, resulting in him receiving grievous injuries.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in the
present case, he is having a clean antecedent and is languishing



in custody since 08.03.2022. The learned counsel for the petitioner has further submitted that on account of pre-existing village rivalry, the petitioner has been falsely implicated in the present case, nonetheless, he is ready to abide by such conditions, as may be deemed fit and appropriate to be imposed upon him for the purposes of grant of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that specific allegation has been levelled against the petitioner of having inflicted knife blow on the stomach of the informant, hence, though, I am not inclined to grant bail to the petitioner at the moment, however, considering the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on bail immediately upon framing of charge by the learned trial court, subject to such conditions, as may be deemed appropriate to be imposed by the learned court of Chief Judicial Magistrate, Bhagalpur in connection with Buddhuchak PS case no. 63 of 2019.



The present petition stands disposed off with the
aforesaid observations and directions.

(Mohit Kumar Shah, J)

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