

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34267 of 2023

Arising Out of PS. Case No.-343 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sourav Kumar @ Ayush Kumar Son of Amit Singh Resident of village-
Khamhar, PS- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.
Mr. Ashok Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Alok Kumar Alok, learned counsel for the
petitioner and learned APP for the State.

2. The Petitioner is apprehending his arrest in connection with Muffasil P.S. Case No.343 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 384, 504/34 of the Indian Penal Code.

3. From the FIR, it appears that the petitioner alleged to have assaulted the informant by means of iron rod causing serious head injury to the informant.

4. Learned counsel appearing on behalf of the petitioner submits that from perusal of the FIR it appears that the occurrence took place in a play ground and the informant and the accused persons are known to each other and there was



no intention to cause any grievous injury and as such no case under Section 307 is made out. With reference to the injury further submission has been made that the injury sustained over the head of the informant is found to be simple in nature and in support of the aforesaid contention the injury report has been brought on record by way of Annexure-3. He next submits that earlier the petitioner has been made accused in connection with Muffasil P.S. Case No. 493 of 2021, however, the police submitted final form and he has not been sent up for trial. He lastly submits that the petitioner is a student pursuing his intermediate course and as such he deserves sympathetic consideration.

5. On the other hand learned APP for the State vehemently opposes the bail application and submits that specific allegation has been leveled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injury, coupled with the fact that there is no repetition of blow and the petitioner is a student, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand only) with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No.343 of 2022 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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