

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34737 of 2022

Arising Out of PS. Case No.-58 Year-2020 Thana- SAKURABAD District- Jehanabad

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SRIKANT RAM SON OF KAPIL RAM @ KAPIL DEV PRASAD R/O
VILLAGE- NARAYANPUR MATHIYA, P.S.- SHAKURABAD, DISTRICT-
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Shakurabad P.S. Case No. 58 of 2020, registered for the offence punishable under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The dispute appears to have arisen on account of plucking of papaya by the co-accused person, namely, Pankaj Kumar, on 22.4.2020 at about 12:00 hours, whereafter the informant had gone to the house of the accused persons to complain about the same, however, the accused



persons including the petitioner had abused and assaulted the informant and his family members. As far as the petitioner is concerned, he is stated to have assaulted one Sri Ram Yadav on his head by an iron rod, resulting in him sustaining grievous injury.

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 23.4.2022. It is submitted that similarly situated co-accused persons have been granted by the learned court below itself.

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 petitioner and taking into account the materials available on record as also considering the fact that the grievous injury, sustained by the said Sri Ram Yadav, is attributable to the petitioner, though I



am not inclined to grant bail to the petitioner at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail, upon framing of charge by the learned court below, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of CJM, Jehanabad in connection with Shakurabad P.S.Case No. 58 of 2020.

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

(Mohit Kumar Shah, J)

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