

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36326 of 2022**

Arising Out of PS. Case No.-249 Year-2021 Thana- GARKHA District- Saran

RAJENDRA PRASAD @ RAJENDRA SAH, SON OF LATE RAM SEWAK  
PRASAD, R/O- VIL-HANUMAN NAGAR, GARKHA, P.S.- GARKHA,  
DIST.- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate  
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      18-01-2023      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the members his family are said have assaulted the informant and others. The petitioner is said to have given a *lathi* blow causing injury on the hand of Krishna Prasad.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case for reasons which is reflected from the contents of the F.I.R itself. The allegations are general and omnibus in nature. The injury report does not support the prosecution case. The petitioner is in



custody since 12.5.2022 and has no criminal antecedent.

Learned A.P.P for the State opposes the prayer for bail submitting that the corresponding injury has been found on the hand of Krishna Prasad.

In response learned counsel for the petitioner submits that even accepting the allegations, the injury is on a non-vital part of the body.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the petitioner being in custody for 8 months since 12.5.2022 and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Garkha P.S. Case no. 249 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate I<sup>st</sup> Class, Saran, Chapra.

**(Partha Sarthy, J)**

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