

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42941 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- PUSA District- Samastipur

Nand Kishore Thakur @ Nandu Kumar Son Of Ramesh Thakur Resident Of
Village - Madapur Chhapara, P.S. - Pusa, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pusa P.S. Case No. 102 of 2022 lodged under Sections 341, 342,
323, 307, 504, 506/ 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 4 named accused persons against whom the
allegation is that they have attacked the son of the informant by
iron rod with a view to kill. Due to which he become injured
and admitted to DMCH, but due to his seriousness, he was
referred to PMCH.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 08.05.2023. Counsel further
submits that the case has been lodged under Section 307 of the
I.P.C. and there is one criminal case pending against the
petitioner in which he is on bail.

5. Counsel further submits that vide Annexure-2/3,
injury report is annexed which indicates that the injury is simple

in nature.

6. Counsel also submits that the date of occurrence is on 21.09.2022 whereas the F.I.R. has been lodged on 17.10.2022 *i.e.*, delay of about 26 days about which no plausible explanation has been given.

7. Learned counsel for the State opposes the prayer for bail.

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the injury was very serious and the victim was under treatment for about 40 days due to this reason, the delay has been caused.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur in connection with Pusa P.S. Case No. 102 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

10. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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