

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43659 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- DORIGANJ District- Saran

1. SUBHASH SAH, Son of Prabhu Nath Sah, Resident of village - Dumari Tolle Rasulpur, P.S. - Doriganj, Distt. - Saran at Chapra
2. Sonu Sah, Son of Krishna Sah, Resident of village - Dumari Tolle Rasulpur, P.S. - Doriganj, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nawal Kishore Singh, Adv.
For the State	:	Ms. Suman Kumari Singh, APP
For the Informant	:	Mr. Harshvardhan Shivsundram, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. Petitioners seek regular bail in connection with Doriganj P.S. Case No. 67 of 2023, dated 10.03.2023 registered for the offences punishable under Sections 341, 323, 324, 379, 307 and 504/34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel Mr. Nawal Kishore Singh, appearing for the petitioners are that the petitioner Subhash Sah is stated to have assaulted at the head of the informant by means of *Farsa* but the injury report of the informant filed as Annexure-3 does not corroborate the alleged weapon as only an *Abrasion on nose region* in the size of 1 x 1/4



inch was found on his person and the second injury was found in the nature of *pain and swelling at right hand* and against the petitioner Sonu Sah there is simple allegation of having assaulted the injured person namely, Suresh Prasad whose injury report has been filed as Annexure-4 and on his person two injuries were found, in which one injury found on his *occipital region* has been opined to be simple in nature caused by hard and blunt object, though the second injury has been opined to be grievous in nature but the same has been found at the non-vital part of his body. Further submissions are that in fact an incident of free fight took place in between both the parties and some persons from petitioners' side also sustained injuries and the alleged occurrence was not pre-planned and the same took place in the spur of moment and there is case and counter case in between both the parties.

4. Learned counsel Mr. Harshvardhan Shivsundram, appearing for the informant has vehemently opposed the prayer for bail and submitted that against petitioner No. 1 there is criminal antecedent of one case and against him there is serious allegation of having assaulted the informant by means of *Farsa*.

5. Having regard to the facts and circumstances of this case, considering the above submissions and mainly the



nature of injuries sustained by the informant and injured person namely, Suresh Prasad whose injury reports have been filed as Annexure-3 and 4 respectively, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Doriganj P.S. Case No. 67 of 2023.

(Shailendra Singh, J.)

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