

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47841 of 2022

Arising Out of PS. Case No.-326 Year-2021 Thana- CHIRAIYA District- East Champaran

RANDHIR SINGH @ RANDHIR KUMAR S/o Satyendra Singh R/o village-
Chamhi, P.S.- Shikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Chiraiya (Shikarganj) P.S. Case No. 326 of 2021 for the offence registered under Sections 341, 323, 324, 307, 354(B), 379, 504 and 34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the accused persons were abusing in front of the house and when his wife protested, it is alleged that they started assaulting them and in the process allegation against the petitioner is that he assaulted his wife on her head and nose causing injury to her. Further allegation against another accused persons are of assaulting the other family members.

Learned counsel for the petitioner has attributed this Court's attention to the order sheet of the learned Session Judge



to show that the injuries that the informant's wife sustained were found to be simple in nature. He, however, submits that on humanitarian ground, in view of the fact that the lady has sustained injuries, although simple in nature, the petitioner on his own would like to contribute towards her treatment cost to the tune of Rs. 25,000/- through demand draft issued by the local State Bank of India branch which will be deposited in 'Nazarat' of the Trial Court and handed over to the informant after checking the credentials. The same is being done irrespective of the result of the present petition. He further submits that there is counter case also in which the accused side have also sustained injuries.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the assault of the petitioner led to injuries upon the informant's wife.

Taking into account the fact that the injury suffered by lady are simple in nature, there is a case and counter case, this Court is inclined to grant him relief subject to payment of Rs. 25,000/- as stated elaborated above towards the treatment cost.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of



Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 4th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Chiraiya (Shikarganj) P.S. Case No. 326 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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