

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50341 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

SURENDRA DAS SON OF BULLA DAS R/V TILAKTAJPUR, P.S.-
RUNNISAIDPUR, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh
		Smt. Divya Bharti
For the Opposite Party/s :		Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner along with other accused persons boarded on a Tata Vehicle having armed with lathi, danda, Mungari entered into the house of the informant and after abusing they started to assault the family members indiscriminately. It is further alleged that petitioner assaulted to daughter-in-law of the informant namely, Mamta Devi on her head by means of rod due to which she sustained injury. He also assaulted to the informant's husband Lakshmi



Das by iron rod due to which his knee of right leg became broken. The other accused persons have also assaulted to her and family members and took gold ornaments from her and her daughter-in-law and thereafter they fled away.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Both the parties are Gotia and there is a case and counter case between both the parties as also there is dispute between them with respect to homestead land. According to injury report of Mamta Devi, She allegedly received injury over frontal pariental region with sharp object but according to F.I.R., the petitioner assaulted her by iron rod which is a hard blunt object and therefore there is serious contradiction about the allegation of assault by the petitioner to Mamta Devi. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 20.04.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No. 157 of 2023.

(Sunil Kumar Panwar, J)

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