

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49139 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Dinesh Kumar Singh @ Dinesh Singh Son of Late Satandeo Singh Resident
of Village - Kuriya, P.S. - Piprakothi, 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. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 14-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Piprakothi P.S. Case No. 64 of 2022 registered for the offence
under Section 341, 323, 324, 307, 504, 506 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.05.2022.

The petitioner vide order dated 10.11.2022 of this
Court granted provisional bail for the reason that his wife,
namely, Nitu Devi was died on 05.11.2022, with a direction to
surrender before the learned Trial Court on 24.11.2022 and also



to file a surrender certificate, accordingly, before this Court through supplementary affidavit.

The petitioner in terms of provisional bail surrendered before the learned Trial Court on 24.11.2022 and a surrender certificate was filed on affidavit on 21.12.2022.

The allegation against the petitioner is to assault the informant on his head by using "*Fasli*" causing repeated sharp cut injury, having intention to cause his death.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was falsely implicated in this case due to previous enmities, arises out of local dispute and differences. It is further submitted that the nature of injuries, which were found upon informant/injured appears to be simple, negating the intention of accused/petitioner as to cause death of injured/informant. While concluding the argument, it has been submitted that petitioner involved in one more criminal case, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that assault appears to be repeated but fairly conceded the fact that the nature of injuries are simple.



Considering the facts and circumstances as mentioned above and by taking note of nature of injuries, which appears simple coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Piprakothi P.S. Case No. 64 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, I Class, Motihari, East Champaran/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-
Veena/-

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