

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49806 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- PATNA CITY CHOWK District- Patna

1. JITENDRA KUMAR VERMA S/o Late Singeshwar Pd. Verma R/o Mohalla- Lal Imli, P.S.- Chowk, Patna City, District- Patna
2. Chandan Kumar S/o Ashok Prasad R/o Mohalla- Kahartoli, P.S.- Chowk, District- Patna
3. Rousan Kumar S/o Ashok Prasad R/o Mohalla- Kahartoli, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 354, 379, 307, 34 of the Indian Penal Code.

Allegedly, petitioners are said to have assaulted the informant's husband by means of iron rod causing injury on his head. They also misbehaved with the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. Both the parties are neighbors. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. Both sides have filed cases against each other. Both sides have sustained injuries. Petitioners have no criminal antecedent as mentioned in para-2 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the injury sustained by the husband of the informant is grievous in nature, which is evident from the injury report enclosed in the case diary.

Having regard to the facts and circumstances of the case, let the petitioner nos. 2 & 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Chowk P.S. Case No.119 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case, as the



injury sustained by the victim is grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for bail of the petitioner no.1 is hereby rejected. However, if the petitioner no.1 surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

Accordingly this application stands partly allowed.

(Anjani Kumar Sharan, J)

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