

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54934 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- SURYAGARHA District- Lakhisarai

Vijay Kumar Singh @ Vijay Singh S/O Ashok Kumar Singh @ Ashok Singh,
resident of village- Pavai, P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Surajgarha P.S. Case No.230 of 2022, registered for the offences punishable under Sections 341, 323, 324, 225, 379, 354(B), 504, 447, 34 of the Indian Penal Code.

The petitioner and the other accused persons are alleged to have assaulted the informant and others. As far as the petitioner is concerned, he is stated to have given a sword blow on the informant, resulting in her sustaining serious injuries.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 11.08.2022. The learned counsel for the petitioner has further submitted that the alleged incident has taken place on account of dispute having arisen regarding cutting of soil and the injuries sustained by the informant are not such, which could have been inflicted by a sword, hence, the injuries sustained by the informant cannot be said to be attributable to the petitioner herein. It is also submitted that a sympathetic view be taken for the purposes of grant of bail, considering the period of incarceration of the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since about six months, apart from the fact that the injuries inflicted on the informant are not very serious, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No.230 of 2022.

(Mohit Kumar Shah, J)

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