

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58211 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- MASHRAK District- Saran

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NAGENDRA SINGH @ NAGENDER KUMAR Son of Suryadeo Singh
Resident of -Serukahan, P.S.-Masrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Bharat Bhushan, APP
For Prosecution	:	Mr. Tej Pratap Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Masrakh PS case no. 57 of 2022 instituted for the offences punishable under Sections 341, 323, 307, 379, 325, 506/34 of the Indian Penal Code and 27 of Arms Act.

The case of the prosecution in brief, according to the informant, is that while he was returning to his house on his Scooty on 04.12.2022 at about 4 pm and had reached near the house of the petitioner, the accused persons including the petitioner had assaulted him badly. As far as the petitioner is concerned, he is alleged to have fired gun shots on the informant, however, the pellet did not hit him. The petitioner is



also alleged to have assaulted the informant by iron rod on both of his legs, resulting in him sustaining fractures.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 28.06.2022. The learned counsel for the petitioner has further submitted that the present incident in question has taken place on account of land dispute. It is also submitted that the petitioner is accused in six other criminal cases and all are pertaining to the incident having arisen on account of land dispute between the parties.

Per contra, the learned APP for the State as also the learned counsel for the informant have vehemently opposed the prayer for bail and have submitted that the informant has sustained multiple fractures on his legs as also has been grievously injured and the same is attributable to the petitioner herein, apart from the fact that he is having a bad criminal antecedent, inasmuch as he is an accused in altogether 07 criminal cases.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that there are ample materials on record



to suggest the complicity of the petitioner in the alleged crime and the petitioner has in fact, brutally assaulted the informant, resulting in him having suffered grievous injuries, thus, I am not inclined to grant bail to the petitioner, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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