

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59222 of 2023

Arising Out of PS. Case No.-390 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Manoj Kumar Singh S/O Nageshwar Singh R/O Village- Mehiya, Ps. Chapra
Muffasil, Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha, Adv.

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Ankur Prakash Sinha, learned counsel
appearing on behalf of the petitioner and learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 390 of 2023, registered for the
offences punishable under Sections 341, 323, 324, 307, 504,
379/34 of the Indian Penal Code.

3. Allegedly while the informant was at her house, in
the meantime, all the FIR named accused persons, including the
petitioner, came there and started abusing. On protest being
made, this petitioner assaulted the informant by means of *daab*
due to which she sustained injury. Further allegation of assault
has been levelled against the all the accused persons.

4. It is submitted on behalf of the petitioner that the



present case is nothing but a counter blast to Muffasil P.S. Case No. 389 of 2023 instituted by the petitioner against the informant and her relatives. He further drew the attention of this Court to the injury report of the informant which clearly suggests that she has sustained simple injury and the same is found to be caused by hard and blunt substance and as such the entire prosecution of assault by *daab* falls to the ground. In fact it is the person of the petitioner's side, who has sustained grievous injury and only in order to save their complicity in connection with Muffasil P.S. Case No. 389 of 2023, the present case has been instituted. He further submits that the petitioner is named in two other criminal cases, however, in one case, the police has submitted final form showing him innocent and in another, he is on bail.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the specific allegation has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the simple nature of injury and the fact that prior to institution of this case, the petitioner had instituted Muffasil P.S. Case No. 389 of 2023, let the petitioner abovenamed be released on bail, in the event of his



arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Muffasil P.S. Case No. 390 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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