

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64500 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- RUPAULI District- Purnia

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SOHIT KUMAR SON OF LATE AWADHESH MANDAL RESIDENT OF
VILLAGE- FULKIYA, PS- RUPAULI, DIST- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rupauli (Mohanpur) P.S. Case No. 48 of 2023, dated 18.02.2023, registered for the offence punishable under Sections 341, 323, 307, 504, 379/34 of the Indian Penal Code.

3. The case of prosecution, in short, is that informant started the motor cycle standing in front of his gate, the light of his motorcycle got on. At the same time Sohit Kumar, who was coming from the front after drinking alcohol, abused the informant, and said why you have lighted the lights. On this he started slapping and abusing him. On alarm, petitioner's mother Meena Devi, and brother Rohit Kumar came out and started beating him. Sohit Kumar hit informant three to four times with



an iron rod with intention to kill him, due to which he sustained injury on his head.

4. Learned counsel for the petitioner submits that the petitioner was interrogated by the local Chowkidar for his drunken condition and Rupauli (Mohanpur) P.S. Case No. 47 of 2023, under Section 37 (1) of the Excise Act was registered in which the petitioner was released. Thereafter the petitioner came to know about the present case in which the informant has brought the injury report and on his written complaint the present case has been lodged. It is submitted that petitioner has not been arrested on the spot nor any incriminating articles have been recovered from the possession of the petitioner. So far as injury is concerned, the same has been found simple in nature caused by hard and blunt substance. Once criminal case has been lodged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail to the petitioner.

6. Having considered the facts and circumstances of the case and the submissions of learned counsel for the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of



Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Rupauli (Mohanpur) P.S. Case No. 48 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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