

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67259 of 2022

Arising Out of PS. Case No.-211 Year-2022 Thana- MOKAMAH District- Patna

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Niranjan Kumar @ Raju Singh Son Of Ramashish Prasad Singh R/O Village-
Sikharichak, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Mokamah
P.S. Case No.211 of 2022 registered for the offence under
Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.07.2022.

The allegation against the petitioner is to assault the
informant and others alongwith co-accused persons by using
lathi, rod etc., causing head and other bodily injuries having



intention to cause death, where occurrence is founded over previous enmities as to help the opposite party.

Learned counsel appearing on behalf of the petitioner submitted that the occurrence is of free fight in nature, where both parties received injuries and for the same set of occurrence case was also lodged by petitioner himself, which has been registered as Mokamah P.S. Case No. 212 of 2022. It is also submitted that both parties received injuries during the course of occurrence. It is also pointed out that allegation as regarding assault is appearing very much general and omnibus against this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as nature of allegation as regard to assault is very much general and omnibus, where occurrence is appearing free fight in nature coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be



released on bail in connection with Mokamah P.S. Case No.211 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Barh, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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