

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59727 of 2022

Arising Out of PS. Case No.-185 Year-2022 Thana- TARAIYA District- Saran

RAJ KUMAR SINGH S/o Harihar Singh R.o village- Harakhpura, P.O.-
Taraiya, P.S.- Taraiya, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jeetendra Narayan, Advocate
For the Opposite Party/s	:	Mr.Prem Kumar Jha, APP
For the Informant	:	Mr.Rajiv Ranjan, Advocate
		Mr.Rananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State as

well as learned counsel for the Informant.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Taraiya

P.S. Case No. 185 of 2022 registered for the offence under

Sections 504, 341, 324, 323, 325, 302 r/w 34 of the Indian Penal

Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.08.2022.

The allegation against the petitioner is to commit

murder of the father of the informant, along with other co-



accused persons, due to previous enmities arises out of neighbourhood dispute and differences.

Learned counsel appearing on behalf of the petitioner submitted that allegation against this petitioner is to assault the deceased on the non-vital part of the body which is sufficient to suggest that petitioner was not under intention to cause death of the father of the informant. It is submitted that specific allegation to give fatal blow is available against co-accused, Mokhtar Singh, as per FIR, which appears in corroboration with post-mortem report. While concluding the argument, it is submitted that petitioner found involved in four (4) excise cases, where he is on bail and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail submitted that specific allegation as regard to fatal assault is not available against this petitioner.

In view of the facts and circumstances as mentioned above and by taking note of the fact as specific allegation as regard to fatal assault is not available against the petitioner, rather same is available against co-accused, Mokhtar Singh,



coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Taraiya P.S. Case No. 185 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 learned Additional Chief Judicial Magistrate-1st, Saran at Chapra/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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