

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62641 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- GHOSI District- Jehanabad

Nitish Kumar @ Anil Kumar Son Of Sri Dinanath Prasad, Resident Of
Village- Daulatpur, P.S.- Ghoshi (Okari), District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-02-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 573 of 2022 arising out of Ghoshi P.S. Case
No. 118 of 2022 lodged under Sections 341, 323, 324, 325, 307,
354, 379, 504 and 506/34 of the I.P.C.

As per prosecution, the specific allegation against the
present petitioner that he has attacked on son of the informant
by *farsa*, due to which head injury caused and son the informant
become unconscious.

Learned counsel for the petitioner submits that
petitioner has specifically and categorically mentioned on



affidavit that after injury, the informant visited for treatment to the Sadar Hospital, Jehanabad from where Doctor has found one lacerated wound 3"x2"x skin deep scalp and nature of injury was simple. He also submits that doctor of Primary Health Center also treated for the injury and given his opinion that injury is danger to life but in both report one thing is common that the injury of Sadar Hospital was found as lacerated wound and the injury of Primary Health Center was found in the nature of hard and blunt substance, whereas in the F.I.R. the *farsa* was at the hand of the Nitish. Counsel further submits that after observing the allegation made in the F.I.R. and the injuries in medical report there is sharp contradiction in the ocular and medical evidence. Counsel further submits that antecedent of the petitioner is clean and he is in custody since 16.05.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Jehanabad in connection with Sessions Trial No. 573 of 2022, arising out



of Ghoshi P.S. Case No. 118 of 2022, subject to the conditions
as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ravishankar/-

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