

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68821 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- NARDIGANJ District- Nawada

PRAMOD KUMAR Son of Late Naresh Singh R/o vill - Handiya, P.S. -
Nardiganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 01-11-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Nardiganj P.S. Case
no.243 of 2023 registered under sections 307, 379, 354, 323,
324, 325, 341, 504, 506 and 34 of the Indian Penal Code.
3. As per the prosecution case, the informant states
that on the informant's daughter going to her land in question,
she saw the accused persons including the petitioner herein
variously armed with pistol, garasa, iron rod, lathi etc. The
petitioner who is said to be armed with a pistol assaulted the
informant with the butt of the pistol on his head and right eye as
a result of which the informant fell down. The other accused
persons assaulted the other members of the informant's family.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of land dispute which would be evident from the contents of the F.I.R. itself. It is submitted that no case under section 307 of the Indian Penal Code is made out for the reason that the assault is by the butt of a pistol. The injury report brought on record as Annexure-2 would show that the injuries are lacerated wound over head and blackening around the right eye and right side of cheek. The petitioner is in custody since 11.8.2023.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner in the F.I.R. of having come armed with a pistol and of having assaulted the informant with the butt of a pistol. The allegations are supported from the injury report (Annexure-2). Further the nature of injury being such that the patient was referred for C.T. scan of the brain and the opinion was reserved.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the genesis of the occurrence being land dispute, the allegation against the petitioner of having used butt of a pistol,



the contents of the injury report and the petitioner having remained in custody since 11.8.2023, the Court directs the petitioner to be enlarged on bail in connection with Nardiganj P.S. Case no.243 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Nawada.

(Partha Sarthy, J)

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