

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68203 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BANGAWON District- Saharsa

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Bablu Kumar @ Sanjay Kumar, S/o Devilal Das, Resident of Ward No.- 07,
Balha, Kahra, P.S.- Bangaon, District- Saharsa, Bihar, Pin- 852201.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Prabhakar, Advocate
Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

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

apprehending his arrest in connection with Bangaon P.S. Case

No. 01 of 2022 registered for the offences punishable under

Sections 341, 323, 324, 379, 354(A), 307, 504, 506 and 34 of

the Indian Penal Code, 1860.

The allegation against the petitioner is to assault

informant and others by means of iron rod, sword etc. causing

head and other bodily injuries having intention to cause their



death, where occurrence is founded over land dispute.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case who is none but the agnate of informant. It is further submitted that the specific allegation as to cause grievous injuries on the head of informant is available against co-accused Sujit Kumar and Sanjit Kumar, whereas the narration of FIR reflects that this petitioner made an attempt with iron rod which was hold by informant causing injuries on the non-vital part like hand. It is submitted that no injury as alleged was caused by this petitioner. It it further submitted that occurrence is free fight, where both parties received injuries and for the same set of occurrence the petitioner's side also lodged Bangaon P.S. Case No. 09 of 2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances and by taking note of nature of allegation and also as the occurrence is free fight in nature, negating intention to cause death, let above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail, 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.- 1, Saharsa/concerned Court, where the case is pending in connection with Bangaon P.S. Case No. 01 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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