

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67657 of 2022**

Arising Out of PS. Case No.-332 Year-2020 Thana- UJIYARPUR District- Samastipur

MANOJ SAH S/O Sanehi Sah R/O Village- Pachpaika Pataili, P.S- Ujiarpur,  
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      13-03-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

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

The petitioner seeks bail in connection with Ujiarpur  
P.S. Case No. 332 of 2020 registered for the offence under  
Sections 323, 341, 307, 354A, 379, 448, 504/34 of the Indian  
Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 06.09.2022.

The allegation against the petitioner is to assault  
informant and her husband, along with other co-accused  
persons, causing head and other bodily injuries by using  
'Khanti', having intention to cause their death.



Learned counsel appearing on behalf of the petitioner submitted that allegation against the petitioner is to assault the informant causing head injuries, where injury no.2 found simple in nature and subsequently injury no.1 also found simple in nature after C.T. Scan and as such it can be safely said that both of injuries as mentioned were not sufficient to cause death of informant, in ordinary course of nature, gathering also that petitioner was not under intention to cause death of informant. It is further submitted that co-accused person, namely, Rajesh Sah, who alleged to cause grievous injury, has already been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 40392 of 2021 vide order dated 07.04.2022. It is also submitted that occurrence is free fight in nature, where both parties received injuries. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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 opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as injuries caused by this petitioner are appearing simple in nature, negating intention to cause death of informant on its



face 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 Ujiarpur P.S. Case No. 332 of 2020 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 District Judge-IX, Samastipur/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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