

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69936 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- PAHARPUR District- East Champaran

Rajesh Singh Son of Late Pyare Nath Singh R/v- Ebrahimpur, P.S.- Paharpur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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 Paharpur
P.S. Case No. 282 of 2022 registered for the offence under
Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian
Penal Code (for short 'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 27.07.2022.

The allegation against the petitioner is to assault
informant and others alongwith family members/co-accused
persons by means of iron rod and butt of pistol, where
occurrence is arises out of dispute related with construction of



staircase.

Learned counsel appearing on behalf of the petitioner submitted that the allegation against this petitioner is limited only of order giver, where main allegation, as regard to assault, is appearing against co-accused Rakesh Singh. It is also submitted that the allegation regard to assault, as available against petitioner, is to made by using butt of pistol, which in itself negate intention to cause death on its face. While concluding the argument it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation is specific against co-accused to assault informant, where allegation against this petitioner is limited to assault only with butt of pistol, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Paharpur P.S. Case No. 282 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 Chief Judicial Magistrate, East
Champaran, Motihari/concerned court, subject to the conditions
as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

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