

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70288 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- PAKRIDAYAL District- East Champaran

NITESH KUMAR @ PUTUL Son of Binod Singh Resident of
Village/Mohalla- Chaita Ward No.-7, P.S.- Pakaridayal, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-03-2023 Heard learned counsel appearing on behalf of the
parties.

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

The petitioner seeks bail in connection with
Pakaridayal P.S. Case No. 165 of 2022 registered for the offence
under Sections 341, 323, 324, 307, 504, 506 and 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.06.2022.

The allegation against the petitioner is to assault the
informant by means of knife causing multiple body injuries,
having intention to cause death, where, occurrence is arises out



of quarrel, due to rash and negligent driving of bicycle by petitioner.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely implicated in this case out of neighborhood disputes and differences. It is submitted that informant received injuries due to rash and negligent driving of bicycle. It is submitted that out of 6 (six) injuries alleged to be found upon injured/informant, only injury no.2, which is upon little finger is appearing grievous, where, rest of the alleged injuries are simple in nature. It is also submitted that injury alleged to be made at non-vital part of body which cannot be said as sufficient to cause that death in ordinary cause of nature as alleged and raised through present FIR. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposed the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of injury which appears on non-vital part of the body, where, petitioner is in custody since



25.06.2022, having of clean antecedent 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 Pakaridayal P.S. Case No. 165 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 C.J.M., East Champaran, Motihari/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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