

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71328 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- HARLAKHI District- Madhubani

SAROJ KUMAR KUSWAHA S/o Ram Lalit Mahto R/o Village- Sisauni,
Ward no. 2, P.S.- Harlakhi, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-04-2023 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 Harlakhi
P.S. Case No. 248 of 2022 registered for the offences under
Sections 341/323/307/379/504/506/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.08.2022.

The allegation against the petitioner is to assault the
husband of informant along with six named co-accused persons
by means of using knife, causing severe head injuries, where
cause of occurrence is unexplained, as per F.I.R.

Learned counsel appearing on behalf of the petitioner



submitted that allegation as regard to assault is appearing very much general and omnibus against this petitioner. It is further submitted that petitioner was alleged to cause knife injury upon the husband of informant alongwith other co-accused persons but upon medical examination only laceration and swelling wound were found, which negates allegation on its face. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent, where he is on bail and moreover, investigation of this case is completed, 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.

Considering the facts and circumstances as mentioned above, and by taking note of nature of injuries, where allegation against this petitioner, as regard to assault is appearing very much general and omnibus, 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 Harlakhi P.S. Case No. 248 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 Judicial Magistrate -Ist Class, Benipatti/concerned Court, subject to the conditions as



mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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