

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4170 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Ashish Kumar Singh @ Ashish Kumar @ Kalai Son Of Sri Tarkeshwar Singh
Resident Of Village- Jalalpur Ps- G.B. Nagar, Distt- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmatma Singh
For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

Prosecution case in nutshell is that petitioner along with other co-accused persons came to the door of informant and started abusing. When the informant raised protest, co-accused Tarkeshwar Singh assaulted him due to which his hand got fractured. Co-accused Ashik Kumar @ Jhunnu assaulted him due to which leg got fractured. Allegation



against the petitioner is that he assaulted the informant by means of iron rod due to which he sustained head injuries. It is further alleged that co-accused Parasnath Singh snatched Rs. 25,000/- from the shop of the informant and thereafter, accused persons outraged the modesty of informant's wife and also snatched gold chain worth Rs. 50,000/- from her possession.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is nephew of the informant and due to land dispute, the present case has been lodged against the petitioner with false and concocted allegations. Allegation against the petitioner is that he assaulted the informant due to which he has sustained head injuries but from the perusal of injury report(Annexure 3), there is no any head injury sustained by the informant, which clearly falsifies the prosecution version of the case. Moreover, the petitioner is languishing in judicial custody since 04.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with G.B. Nagar P.S. Case No. 261 of 2023 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 Additional Chief Judicial Magistrate IV, Siwan.

(Sunil Kumar Panwar, J)

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