

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6060 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- SANDESH District- Bhojpur

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Parmeshwar Singh @ Supan Singh @ Prameshwar Kumar Singh S/O Late
Chandeshwar Singh R/O Village- Kholpur, P.S- Sandesh, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Adv

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-02-2024 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused / petitioner is named in the FIR and
apprehending his arrest in a case registered for the offences
punishable under Section 341, 323, 325, 379, 307, 504/34 of the
Indian Penal Code.

3. The allegation against this petitioner is to assault
mother of the informant along with co-accused persons where
she sustained head and body injuries. The occurrence took place
due to cleaning the buffalo in common street.

4. Learned counsel for the petitioner submitted that
from perusal of the FIR, it can be gathered easily that informant
is received entire information, when he came to his house where
his mother was injured and narrated the story. The FIR is based



upon hearsay input. It is submitted that injury as alleged to be sustained by informant's mother are simple in nature and not appears repeated, negating prima facie "institution to cause death" as to attack an offence under section 307 of the IPC (as intention to cause death). It is further submitted that petitioner is a man of clean antecedent.

5. Learned APP for the State opposes the prayer of bail.

6. In view of the aforesaid fact and circumstances and by taking note of fact that narration of FIR is based upon hearsay input and nature of injury sustained by mother of the informant is simple in nature, let the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like each to the satisfaction of the learned Judicial Magistrate 1st class Bhojpur at Ara in connection with Sandesh P.S.Case No. 173 of 2023 Subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Chandra Prakash Singh, J)

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