

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8631 of 2024**

Arising Out of PS. Case No.-263 Year-2023 Thana- MADANPUR District- Aurangabad

Upendra Singh S/O- Late Nathun Singh R/O- Village- Teldiha, P.S.-
Madanpur, Dist.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Madanpur P.S. Case No. 263 of 2023 dated 14.06.2023 registered for the offences punishable u/ss 308, 379, 341, 323, 325, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's husband with intent to kill him and took away his gold chain. The co-accused, Golu Singh inflicted blow of axe on the informant's husband due to which he sustained injury. When the informant went to rescue her husband then she also sustained injury. The mother-in-law of the informant was also assaulted by



the accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a case and counter case between the parties. The specific allegation of assault is against the co-accused, Golu Singh. The allegation of theft is general and omnibus. There is land dispute between the parties. The injury report of the informant's husband shows three injuries on his person but due to fracture in 2nd rib, the injury is stated to be grievous in nature, the injury of the informant shows fracture in index finger which is on non vital part of the body and the injury of the mother-in-law of the informant shows one injury which is simple in nature as stated in para 14 of the bail petition. The petitioner is accused in one more case in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Aurangabad in connection with Madanpur P.S. Case No. 263 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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