

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19133 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- DARAUNDA District- Siwan

Satish Singh, aged about 42 years, Male, S/o Late Munindra Singh @
Munindra Nath Singh, R/o vill - Sawan Bigrah, P.S. - Daraunda, Distt. -
Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

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

ORAL ORDER

4 13-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Daraunda
P.S. Case No. 353 of 2023 dated 17.11.2023 registered for the
offences punishable under Sections 147, 447, 341, 323, 504,
324, 307 and 379 of the I.P.C.

3. As per the prosecution case, on 18.11.2023 at about
8.00A.M., when the informant was at his house, the petitioner
and the other co-accused persons came with lathi, danda and
sword at his darwaza and started abusing and assaulting him.
The petitioner assaulted with sword on his head causing head
injury, as a result of which, he fell down on the earth. When his
brother, namely, Ashok Singh and his son Yashwant Singh came



to rescue him then the petitioner and the co-accused Sanjay Singh assaulted with sword and lathi on them, as a result of which, his son Yashwant Singh sustained injury caused by sword. The co-accused Upendra Singh and Sanjay Singh assaulted with lathi on the informant's brother Ashok Singh. It is further alleged that the petitioner took Rs. 10,000/- from his pocket and golden chain from his neck. Thereafter, the injured were brought to *Mahrajganj Government Hospital* from where they were referred to the *Sadar Hospital, Siwan*, for their better treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the informant Nagendra Singh and his son Yashwant Singh were examined by the doctor and the doctor has found grievous and simple injuries. There is case and counter case between the parties. There is no eye witness to the alleged occurrence and even the informant is not an eye witness to the alleged occurrence. Both parties are agnates. The alleged occurrence took place on 15.11.2023 as to when the F.I.R. has been lodged on 17.11.2023 after a lapse of two days for which no explanation has been given by the prosecution. The petitioner is a disable from the leg and his disability is of 40%.



During the course of investigation, no one has come forward to support the prosecution case. Learned counsel for the petitioner has filed a supplementary affidavit on behalf of the petitioner in the Court. Let it be kept on the record. Learned counsel for the petitioner has further submitted that the petitioner and his brother Nitish Kumar Singh have also sustained grievous injuries, annexed as Annexure-P/5 series to the present bail application. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 05.01.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of the custody, let the above named petitioner, 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 Additional Chief Judicial Magistrate-XI, Siwan in connection with Daraunda P.S. Case No. 353 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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