

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24943 of 2024

Arising Out of PS. Case No.-708 Year-2023 Thana- GAYA KOTWALI District- Gaya

Amit Ram, Male, aged about 35 years, Son of Vijay Ram, Resident of Mohalla - Murli Hill Domtoli, Telbigha, P.O. - R.S., P.S. - Kotwali, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 708 of 2023 instituted for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

3. As per the prosecution case, informant's brother Sumit Kumar was going to Telbigha more for purchase samosa, in the meantime, all FIR named accused persons including the petitioner called the informant's brother in his house and assaulted him with iron rod with an intention to kill him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to local village politics.



There is no any specific allegation against the petitioner. The FIR has been lodged against four accused persons including the petitioner on 21.12.2023 and the occurrence took place on 19.12.2023. Petitioner is in custody since 31.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-Xth, Gaya dated 29.02.2024, it appears that on the basis of written report of the informant Aditya Kumar, an FIR has been lodged under Sections 341, 323, 307 and 504/34 of the Indian Penal Code against four accused persons including the petitioner. From perusal of the FIR, it appears that there is no specific allegation against the petitioner and the specific allegation is against other accused persons. Perusal of the injury report, it appears that there are two injuries found on the body of injured, namely Sumit Kumar. Injury no. 1 is lacerated bleeding wound over forehead of size 1X1/2 inch X muscle deep and injury no. 2 is abrasion of size 1/4 X 1/6 inch over lower lip-reddish in colour. Both injuries are simple in nature caused by hard and blunt substance, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Chief Judicial Magistrate, Gaya in connection with Kotwali P.S.
Case No. 708 of 2023.

(Ramesh Chand Malviya, J)

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