

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26658 of 2024

Arising Out of PS. Case No.-104 Year-2020 Thana- SIKARHATTA District- Bhojpur

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Vinay Singh Son Of Baleshwar Singh Resident Of Village- Rajmaldih, Ps-
Sikarahatta, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Sikarhatta P.S. Case No. 104 of 2020 registered for the

offence under Sections 147, 148, 149, 323, 307, 324,

504 and 506 of the I.P.C. and under Sections 27 of

Arms Act.

3. The petitioner is named in the F.I.R. and is

in custody since 30.01.2024.

4. The allegation against the petitioner is to

assault the informant and others by inflicting knife

injuries along with other co-accused persons due to



dispute arising out of money transaction, where alleged assault were caused with intention to cause death.

5. Learned counsel appearing on behalf of the petitioner submitted that with similar allegation co-accused Vinay Singh, son of Akshay Singh was granted bail by coordinate Bench of this Court in Cr. Misc No. 46302 of 2021 dated 21.06.2022. It is further pointed out that allegation *qua* inflicting knife blow is not specific against this petitioner. It is submitted that if the statement of informant injured namely Pawan Kumar be taken into consideration as it is available in paragraph no. 4 of the case diary, then certainly two incised wounds must be available on his father but as per injury report same is appearing single making a *prima-facie* doubt over manner of assault as narrated by his injured father. It is further submitted that the petitioner was not alleged to inflict knife injury upon the informant. While concluding the argument, it is submitted that petitioner is in custody since 30.01.2024 and moreover,



investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid factual submission as the allegation of inflicting knife injury as to cause incised wound *prima-facie* appears doubtful qua injury report of the father of the informant, coupled with fact that investigation of this case has already been completed, where petitioner is in custody since 30.01.2024, let the petitioner, above named, is directed to be released on bail in connection with Sikarhatta P.S. Case No. 104 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. subject to further conditions:-

“(i) That accused/petitioner shall



not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(Chandra Shekhar Jha, J)

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