IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38495 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- CHANDI District- Bhojpur

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Nagendra Rai Son of Lal Bhadaur Rai R/O Village- Narveerpur, Ama, P.S.- Chandi, Dist.- Bhojpur

... ... Petitioner/s

Versus

The State Of Bihar Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP
For the Informant : Mr. Hari Mohan Tripathi, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Chandi P.S. Case No. 298/2023 lodged on 14.11.2023 under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against three named accused persons, including the present petitioner. The petitioner alleged to have assaulted on the head of the wife of the informant by means of a kudal.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the informant both are well known to each other

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and are resident of the same locality but due to a petty dispute, the scuffling took place in which the wife of the informant got injured. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is in custody since 16.11.2023.

5. Learned counsel for the State opposes the prayer for.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is direct allegation against the petitioner to have assaulted the informant's wife on her head due to which two injuries have been caused to her. Out of two injuries, one is simple in nature while the other is grievous in nature and made on the vital part of the body.

7. Upon specific query of the Court whether the charge has been framed or not, learned counsel for the petitioner submits that charge has not been framed till date.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after three months of framing of charge,** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the

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satisfaction of learned CJM, Bhojpur at Ara, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

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