

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40955 of 2024

Arising Out of PS. Case No.-62 Year-2016 Thana- MUFFASIL District- Aurangabad

1. Lefti Singh @ Chhotoo @ Subhash Kumar @ Lefri Singh, son of Abhay Singh @ Anirudh Singh, Resident of Village - Asha Bigha, P.S. - Rafiganj, District – Aurangabad.
2. Samarjeet @ Dharamjeet @ Dharmjeet Kumar, son of Raju Prasad, resident of Village - Ram Nagar, Karma Road, P.S. - Aurangabad (T), District – Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. for the State.

2. Petitioners seek bail in connection with Session

Trial No. 348/2024 (65/2024) arising out of Aurangabad

(M) P.S. Case No. 62 of 2016 registered for the offences

under Sections 341, 323, 324, 308, 325, 34, 504 of the

Indian Penal Code.

3. The petitioners are named in the First

Information Report and are in custody since 29.04.2024.

4. Allegation against the petitioners is to assault

the informant causing such bodily injury which may likely to



cause his death alongwith other co-accused persons, where occurrence is alleged to be arises out of previous enmity.

5. It is submitted by learned counsel appearing on behalf of the petitioners that allegation of physical assault is appearing very much general and omnibus in nature against the petitioners. It is pointed out that alleged grievous injury is due to fracture of 'Ulna Bone' which is a non-vital part of the body negating *prima-facie* knowledge which may likely to cause death. It is submitted that both petitioners are of clean antecedent and, moreover, charges have already framed in this case before the learned trial court.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

7. In view of aforesaid factual submission where allegation *qua* physical assault appearing very much general and omnibus in nature against the petitioners, accordingly, above-named petitioners are directed to be released on bail in connection with Session Trial No. 348/2024 (65/2024) arising out of Aurangabad (M) P.S. Case No. 62 of 2016 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand



only) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – II, Aurangabad, subject to the condition as laid down under Section 437 (3) Cr.P.C. and further condition that:

(I) Accused/petitioners 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 petitioners duly supported by the documents.

(Chandra Shekhar Jha, J.)

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