

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58274 of 2024

Arising Out of PS. Case No.-422 Year-2023 Thana- RAJAON District- Banka

Prabhu Singh @ Prabhu Dayal Singh Son of Late Siya Ram Singh Resident
of Village- Pattichak, P.S.- Rajoun, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajoun
P.S. Case No. 422 of 2023 instituted for the offences under
Sections 341, 323, 504, 34 of the Indian Penal Code. Later on,
Section 304 of the Indian Penal Code has been added on
16.10.2023.

3. As per prosecution case, the accused persons
including the petitioner armed with *lathi*, *danda* and pistol
assaulted the Informant with an intention to kill. On *hulla*, all
the accused persons fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. In the entire F.I.R., the Informant has not stated anything about the new-born child nor made any allegation against any of the accused persons for assaulting the child. He again submits that the present case is the counter blast of Rajoun P.S. Case No. 423 of 2023 instituted against the Informant and other co-accused persons. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.04.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Prakash Singh @ Jai Prakash Singh has been granted bail by this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 11997 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned
Court in connection with Rajoun P.S. Case No. 422 of 2023.

(Rudra Prakash Mishra, J)

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