

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51650 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- SULTANGANJ District- Patna

Suman Kumar @ Saim Raj, Son of Surendra Singh, Resident of Sukhari Jee
Ke Khet, Devi Asthan Gali, Pathrighat, Police Station - Alamganj, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Mouar, Advocate Mr. Raj Krishna Jha, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Raj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

2. In the present case, the petitioner is apprehending his
arrest in connection with Sultanganj P.S. Case No. 159 of 2024
registered for the alleged offences under Sections 341, 323, 324,
506, 354 and 354(D) of the Indian Penal Code.

3. As per prosecution case, petitioner assaulted the
informant with a sharp weapon on his head which caused bleeding.
When the people assembled, the petitioner fled away from the spot
leaving behind his motorcycle. The occurrence took place in the
background of the fact that the petitioner used to tease the minor
daughter of the informant and the informant called upon his family
to make the petitioner desist from his activities.

4. Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and has been falsely implicated in this case. The informant is an advocate and to make the case serious, allegation of eve-teasing has been levelled against the petitioner. Though there is allegation of use of sharp cutting weapon but no injury of sharp cutting weapon has been found by the doctor and the injury report shows laceration and swellings and the size of the injuries are as follows:- 4x0.5x0.5cm, 1x0.5x0.5cm, 1.5x0.5x0.5cm and 0.5x0.5x0.5 over left scalp. Learned counsel further submits that the petitioner and the informant are resident of same locality and some accident by motorcycle took place between the petitioner and the informant. The petitioner is a student and aged 18 years and is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner should be made an example as he used to tease the minor daughter of the informant who studies in class nine and when the informant made complain to the guardians of the petitioner, in retaliation, the petitioner assaulted the informant with an iron claw. Learned counsel further submits that the story of the petitioner being involved in accident with motorcycle of the informant is not believable as it was not supported by any of the witnesses.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injuries as is apparent from the dimension of the injuries mentioned in the injury report and further considering the age of the petitioner coupled with his clean antecedent and also considering the nature of allegation, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City/ court concerned in connection with Sultanganj P.S. Case No. 159 of 2024, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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