

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52044 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- AZIMABAD District- Bhojpur

Umesh Kumar S/O Ram Niwas Chaudhary R/O Village- Mehandaura, P.S-
Azimabad, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Adv
For the Opposite Party/s : Ms.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 25-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is in custody
since 4-4-2024 and the informant alleges that on 22-3-2024 at 8
p.m., a dispute relating to ferrying of boat took place when the
petitioner assaulted him by knife causing injury on left side of
his abdomen.
4. The learned counsel next fairly submits that the
injury is opined to be grievous but then submits that from
perusal of the FIR, it would manifest that the date of occurrence



is 22-3-2024 and the FIR came to be instituted on 3-4-2024, i.e., after a delay of more than 12 days. It is further submitted that had the petitioner been assaulted in the manner as alleged in the FIR then definitely the hospital would have informed the police about the offence and the *fardbayan* of the injured would have been recorded at the hospital but then the same was not done as the FIR came to be instituted based on a written application of the informant, which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Azimabad P.S. Case No. 33 of 2024.

(Satyavrat Verma, J)

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