

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56440 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- PANCHRUKHI District- Siwan

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ABHISHEK KUMAR SINGH S/O RAJ KISHORE SINGH Resident of
Village- Jitpatti, P.S.- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 26-10-2024 Heard learned Counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Pachrukhi P.S. Case No. 210 of 2024, registered for the alleged offences under Sections 147, 149, 341, 323, 325, 307, 354, 379, 120(B), 504 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioner and another co-accused persons armed with *lathi*, *danda* and hockey stick surrounded the informant, abused and assaulted him. The allegation against petitioner and other co-accused persons is that they assaulted the informant on his head with hockey stick, causing fracture and bleeding. Further, the co-accused persons took away Rs. 1340/- from the pocket of the informant.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Two persons named Abhishek Kumar Singh have been mentioned in the F.I.R. and it is not clear who assaulted the informant. There is general and omnibus allegation against eight persons but only two injuries have been found on the informant and only one injury is on the head which is a lacerated wound of size 1" X ½" bone deep. The other injury is contusion over right elbow of size 1" X 1". Learned Counsel further submits that the informant was referred for C.T. Scan but he did not submit any report and in absence of evidence, his injuries are stated to be simple. There is doubt over the person who caused injury as there are two Abhishek Kumar Singh and five persons are alleged to have hit the informant on his head. Learned Counsel further submits that the petitioner is in custody since 07.06.2024 and charge sheet has been submitted, petitioner is having clean antecedent and he is aged about 19 years.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the simple nature of injuries of the informant for which there is allegation



against eight persons and also considering the age of the petitioner, his clean antecedent, submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan, in connection with Pachrukhi P.S. Case No. 210 of 2024, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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