

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62077 of 2024

Arising Out of PS. Case No.-439 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Bhuneshwar Singh S/O Late Sitaram Singh R/O Village- Chaurashni, P.S-
Udwantnagar Gajrajganj O.P.), Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Adv
	:	Mr. Prabhat Kumar Singh, Adv
	:	Ms. Priya, Adv
For the Opposite Party/s	:	Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No. 439 of 2023 dated 14.10.2023 registered for the offences punishable u/s 325, 323, 341, 379, 307, 504, 506 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, on 14.10.2023 at around 5:30 A.M. the informant along with his uncle Sri Niwas Singh and cousin Bir Bahadur Singh was watering agricultural land. In the meantime, the petitioner and the co-accused persons



armed with lathi and pistol came and started abusing the informant and his uncle. On being objected by the informant, all the accused persons started to assault the informant and his uncle on their head with intent to kill due to which the right palm of the informant got fractured. It is further alleged that the co-accused Sonu Kumar snatched Rs. 10,000/- from the pocket of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the both parties are Gotiya and co-sharer and for partition of ancestral property there is a case and counter case between both the parties. It is submitted that the injuries have been sustained by both side of the party. It is further submitted that the injury no. 1, 3 and 4 are simple in nature and the injury no. 2 is grievous in nature. The petitioner has four antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the



petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No. 439 of 2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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