

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61932 of 2024**

Arising Out of PS. Case No.-34 Year-2024 Thana- RAUTARA District- Katihar

Bhola Singh Son of Jai Narayan Singh @ Jal Narayan Singh Resident of  
village- Chandwa, PS- Rautara, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md Musowir, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      04-09-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody  
in connection with Rautara P.S. Case No. 34 of 2024 registered  
for the offences punishable under Sections 341, 323, 307, 379,  
504 and 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is of causing  
assault on account of trifle over the head of the informant's  
husband by means of bamboo stick. There is further allegation  
that the petitioner also assaulted the informant and her son and  
also took away Rs. 25,000/- from the pocket of the husband of  
the informant.

4. Referring to the narrations made in the FIR, learned  
counsel for the petitioner contended that the alleged occurrence  
took place on account of trifle and even as per the allegation



levelled in the FIR, it clearly reveals that there was no intention to kill the husband of the informant and, as such, no case much less under Section 307 I.P.C., is made out. Drawing attention of this Court to the injury report (Annexure-2), it is further contended that though the husband of the informant sustained two injuries but the same is simple in nature. It is next contended that the occurrence took place on 27.04.2024 but the FIR has been lodged on 01.05.2024 without there being any explanation for delay. Moreover, the petitioner is a rustic villager having fair antecedent and now he has been incarcerated since 23.06.2024.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the injury report corroborates that the injured has sustained injury on account of the hard and blunt substance.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the nature of injury as well as the fact that the investigation of the crime is complete, apart from the fair antecedent of the petitioner, let the petitioner, named above, 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 learned J.M.1st Class, Katihar, in connection with



Rautara P.S. Case No. 34 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

rohit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

