

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71260 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- SASARAM NAGAR District- Rohtas

DISAL Son of Mumtaz Khan R/o mohalla - Adam Khani, P.S. - Sasaram
(Town), Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 4 29-02-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Sasaram (Town) P.S. Case No. 96 of 2023 registered for the offences punishable under Sections 341, 323, 324, 448, 307, 379 and 504/34 of the Indian Penal Code.
3. The allegation against the petitioner is to assault informant and others alongwith other co-accused persons causing head and other bodily injuries by means of *lathi*, knife etc., with intention to cause death, where occurrence arises out of labour charge related issues.
4. Learned counsel appearing on behalf of the



petitioner submitted that occurrence is of free fight in nature, where both parties received injuries and for the same set of occurrence petitioner's side also lodged counter case registered as Sasaram (Town) P.S. Case No. 97 of 2023, where allegation against this petitioner is to assault informant by means of *lathi*. It is also submitted that alleged assault appears simple in nature as per CT Scan report and as such, it can be safely gathered that petitioner was not under intention to cause death of informant. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact, as alleged assault caused by petitioner appear single without any intervening circumstances, where injury found simple, accordingly petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram/concerned Court where



the case is pending in connection with Sasaram (Town) P.S.
Case No. 96 of 2023 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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