

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70079 of 2024

Arising Out of PS. Case No.-261 Year-2024 Thana- PANCHRUKHI District- Siwan

Dhiraj Kumar Singh S/O Raj Kishor Singh Resident o village- Aalapur P.S.
Pachrukhi, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Ms. Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-12-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Pachrukhi P.S. Case No. 261 of 2024 instituted for the offence
under Sections 341, 323, 325, 379, 307, 504, 506/34 of the
Indian Penal Code.

3. Prosecution case in short is that petitioner along
with other co-accused came - variously armed - at the house of
the informant and started abusing and they threatened the
informant's father. In the meantime, petitioner assaulted father
of the informant on his head by means of iron rod, but in a
escaping bid by informant's mother, she sustained injury on her
eye and forehead and blood started oozing out profusely.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07-08-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that informant and other accused persons including the petitioner are co-villagers and there is admitted land dispute between them. There is no eye-witness mentioned in the FIR. Even if the prosecution case is taken into its face value, there is no repeated blow given by the petitioner, hence under Section 307 of the IPC is not attracted against the petitioner. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that injury sustained by the mother of the informant is grievous in nature.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner 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 Court below/concerned Court in connection with Pachrukhi P.S. Case No. 261 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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