

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80992 of 2024

Arising Out of PS. Case No.-242 Year-2024 Thana- KATEYA District- Gopalganj

Pulish Nath Singh @ Pulisnath Singh S/o Kailash Singh Resident of village -
Roop Poeya, Police Station - Kateya, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Tooba Hera Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kateya PS Case No.242 of 2024 dated 24.06.2024, instituted
under Section 341,323, 324, 307, 325, 379, 504 and 506/34 of
the IPC.

3. The prosecution case in short is that on 23.06.2024
the petitioner along with six other named accused persons
variously armed with sticks batons, farsa and axe came at the
cattle shed of the informant and started abusing the informant.
On protest made by the informant, it is alleged that co-accused
Ramesh Singh hit him on his head, due to which the informant's
head got injured and blood started oozing out and he fell down.
When Mahesh Singh and his mother, namely, Sanamatiya Devi



came to save her husband, it is alleged that petitioner assaulted Mahesh Singh on his head with an iron rod due to which his head got injured. It is further alleged that co-accused Kailash assaulted on the head of Sanamatiya Devi by means of a *lathi*, which she stopped with her hand. It is further alleged that with intention of theft co-accused, namely, Pinki Devi took out the gold *mangalsutra* worth of Rupees twenty thousand from the neck of Sanamatiya Devi. Further allegation is that co-accused, namely, Bachiya Devi, Suman Devi and Girija Devi started assaulting Sanamatiya Devi with fists, kicks and rod. Later the villagers intervened and took the injured to Panchdevri hospital for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner assaulted on the head of Mahesh Singh by means of iron rod, as a result of which, he sustained head injury. Injury report of Mahesh Singh is not available in the case diary and there is no injury sustained by the said Mahesh Singh. Both the parties are neighbours and there is some disputes between them. There is case and counter case between the parties. The sister of the petitioner, namely Bhagmani Devi lodged an FIR bearing Katia PS Case No. 244



of 2024 dated 25-06-2024 under section 307 and other allied Sections of the IPC against the informant and his family members. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Gopalganj, in Kateya PS Case No.242 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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