

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81369 of 2024

Arising Out of PS. Case No.-352 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Himanshu Kumar @ Pushpanjay Kumar Singh S/o Bhola Singh @ Dhananjay
Singh @ Dhananjay Kumar Singh Resident of Village- Shantipuri, P.S- Nagar
Motihari, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 352 of 2024 instituted for the offence under
Sections 341, 323, 307, 504, 506, 379 & 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. Prosecution case in short is that co-accused
including the petitioner has assaulted the informant. Co-
accused, namely, Sahid is alleged to have snatched the gold
Hanumani and petitioner is alleged to have put belt around the
neck of the informant and tightened it.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 13-08-2024. Petitioner bears five criminal antecedents, 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. There is delay of two days in lodging of the FIR. Though there is allegation against the petitioner of tightening the belt around the neck of the informant, but the injury is found to be simple in nature. No such occurrence as alleged in the FIR took place and the allegation against the petitioner is fabricated and concocted.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, 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 Town P.S. Case No. 352 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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