

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84571 of 2023

Arising Out of PS. Case No.-129 Year-2023 Thana- BARIYARPUR District- Munger

Vikash Kumar @ Vikash Kumar Mandal Son of Manoj Mandal R/o vill -
Kalyanpur, P.S. - Bariyarpur, Distt.- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs.Pravina Kumari, Advocate
For the Opposite Party/s :	Mr.Sanjay Kumar Tiwary, APP
For the Informant :	Mr. Shivendra Kumar Sinha, Advocate
	Mr. Ranjeet Patel, Advocate
	Mr. Sanjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 16-12-2024 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

2. In the present case, the petitioner is apprehending his arrest in connection with Bariyarpur P.S. Case No. 129 of 2023 registered for the offences under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons armed with sharp weapon, iron rod and *lathi* assaulted the father-in-law of the informant with sharp iron weapon causing injury on his head. The husband and other family members were also assaulted by the petitioner and other



co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties for the same occurrence. The petitioner side has lodged Bariyarpur P.S. Case No. 130 of 2023 with similar allegation. Learned counsel further submits that the specific allegation against the petitioner is that of giving blow of sharp weapon on the head of the father-in-law of the informant but the injury report of the father-in-law of the informant does not show any injury from any sharp weapon which is a lacerated wound over right parietal region. The opinion was reserved about nature of injury and no final report has been given. Learned counsel further submits that the petitioner is a student of B.A. Part-I and his career would be ruined if he is sent to jail. The petitioner has got no criminal antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the CT Scan shows fracture of right parietal region.

6. Having regard to the facts and circumstances



and submissions made on behalf of the parties and considering the nature of injury which is shown to be a lacerated skin deep wound of size 7 cm only and further considering no life threatening injury, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Munger/concerned court in connection with Bariyarpur P.S. Case No. 129 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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