

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86263 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- KHUDWA District- Aurangabad

Vinay Kumar S/o- Ramashish singh r/o Vilalge- Lahasha, P.S.- Khudwan,
District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ranjit Kumar, Adv
For the Opposite Party/s :	Mr.Pawan Kumar Chaurasia, APP
For the Informant	Mr. Kumar Ravish, Adv
	Ms Siddhi

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner seeks regular bail in connection
with Khudwa P.S.Case No. 77 of 2023 for the offence
registered under Sections 147, 148, 149, 341, 504, 506, 324,
307, 302 of the Indian Penal Code.

3. As per the prosecution case, when the
informant was going to plough his land, all the FIR named
accused persons came variously armed. It is stated that
Anjay Singh struck the informant's uncle Akhilesh Singh on
his head with a garasa. The petitioner Vinay Kumar
assaulted on the shoulder of Abhay Kant with Garasa and



Ramashish Singh also assaulted on the leg of Kamlesh Singh causing serious injuries. It is further stated that all the accused persons started to assault with sword, spear etc. The FIR has been lodged against 9 known accused persons and against 20-30 unknown persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. Both the parties are next door neighbour. Allegation against the petitioner is that he assaulted on the shoulder of Abhay Kant with Garasa but the injury report shows that the injured sustained lacerated wound on the left shoulder which does not corroborate the allegation against the petitioner. He further submits that petitioner has one criminal antecedent in which he is on bail. The petitioner is in custody since 14.08.2022. Charge sheet has already been submitted and there is no chance of absconding or tempering with the evidence. Similarly situated co-accused Tapeswar Yadav has already been granted bail by co-ordinate Bench of this Court vide order dated 18.01.2024 in Cr Misc No. 1219 of 2024.



5. Learned APP for the State and learned counsel for the informant opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of the parties, let the petitioner, above named, be enlarged on bail on furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Khudwan P.S.Case No. 77 of 2023.

(Sunil Dutta Mishra, J)

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