

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.905 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- KASMA District- Aurangabad

Kundan Kumar Singh, aged about 28 years, male, S/O- Virendra Kumar Singh @ Virendra Singh, R/O Village- Sarawak, P.S.- Kasma, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Kasma PS Case No.186 of 2023 dated 31.10.2023, instituted under Sections 147, 149, 323, 324, 325, 341, 307, 379, 504, 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged date of occurrence the nephew of the informant, Golden Kumar, was standing near his house. Then, accused Chandan Kumar came there and assaulted him with iron pipe on account of old enmity. On *hulla*, the informant and his sister-in-law (*Bhabhi*) Rekha Devi came to save him and then Amit Kumar gave *lathi* blow on Rekha Devi while Kundan Kumar Singh (petitioner)



assaulted the informant on his head by means of *khanti*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that from the injury report of the informant it appears that the informant sustained two injuries; (i) bruise at left lower chest and (ii) mild swelling at right wrist and the nature of the injuries are simple. It is further submitted that there is case and counter case between the parties. Learned counsel further submits that the son of the petitioner has lodged counter case i.e., Kasma PS Case No.187 of 2023 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 Chief Judicial Magistrate, Aurangabad, in Kasma PS Case No.186 of 2023, 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)

J. Alam/-

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