

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32520 of 2025

Arising Out of PS. Case No.-349 Year-2023 Thana- MASHRAK District- Saran

Sandeep Kumar @ Sandeep Singh, S/o- Baijnath Singh, R/o Village- Chand Barwa (Chakala), P.S.-Mashrakh, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nalin Kumar, Adv.
For the State	:	Mr. Anand Kishore Choudhary, APP
For the Informant	:	Mr. Suresh Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 06-08-2025 Heard Mr. Nalin Kumar, learned counsel for the petitioner, Mr. Anand Kishore Choudhary, learned APP for the State and Mr. Suresh Prasad, learned counsel for the informant.

2. Petitioner seeks regular bail in connection with Mashrakh P.S. Case No. 349 of 2023 dated 30.06.2023 registered for the offences punishable under sections 341, 323, 307 and 379 read with section 34 of the Indian Penal Code.

3. As per prosecution story, on 17.06.2023 at about 8:00 A.M., 10 named and 4 to 5 unknown persons, including the petitioner, came to the informant's house and started abusing her and asked about her husband's whereabouts. In the meantime, her husband came to his house and these persons started assaulting him and took him outside the house. In the alleged



occurrence, this petitioner and one co-accused Vishal Kumar assaulted her husband with ironrod and lathi, owing to which, her husband became unconscious. It is further alleged that she and her son were also assaulted by women, who were part of the group of accused persons, and they snatched gold ornaments from the informant.

4. Mr. Nalin Kumar, learned counsel appearing for the petitioner submits that there is land dispute in between both the parties and case and counter case in between them also, as per the prosecution story narrated in the FIR, the informant's husband and son are said to have sustained injuries and the informant's husband sustained only two injuries, out of them, one has been opined to be grievous in nature but the second has been opined to be simple in nature and the informant's son sustained simple injury as per his injury report. It is further submitted that the petitioner has been languishing in jail since 01.03.2025.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that the petitioner is the main accused and he and co-accused Vishal Kumar badly assaulted the informant's husband by means of lathi and ironrod, due to that



assault, the informant's husband remained under treatment at Tara Medical Hospital, Patna for forty days and before that, he remained under treatment at different Government hospitals including PMCH and he has medical report and the photographs showing his injuries. It is further submitted that one injury found on the vital part of the person of the informant is grievous in nature.

6. Heard both the sides and perused the FIR, case diary and trial court's order. As per the allegation, the accused persons, including the petitioner, entered into the house of the informant and forcefully dragged the informant's husband and her son out of the house and thereafter, badly assaulted them and there is specific allegation against this petitioner as to having assaulted the informant's husband. Considering the nature of allegation as well as the injuries to the informant's husband as described by the informant's counsel and also appearing from his injury report and also taking note of petitioner's one criminal antecedent, this Court is not inclined to release him on bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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