

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40408 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- Mufassil District- Khagaria

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Santosh Singh, Male, aged about 40 years, Son of Jaiprakash Singh, Resident of Village- Ranko, P.S.- Muffasil, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khagaria Muffasil P.S. Case No. 79 of 2024 instituted for the offences punishable under Sections 341, 323, 325, 354(B), 307, 447, 504, 506,34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he dragged the father of the informant from the courtyard with abusive language and other accused persons assaulted with spade and iron rod and broken his right leg and dropped him on the ground.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that there is no



specific allegation of assault against the petitioner rather it is general and omnibus. He further submits that it is case of land encroachment by the informant due to which petitioner along with other persons have been made accused. He next submits that informant and Alfaque has compromised this case as stated by learned counsel for the petitioner, which is stated in paragraph-16 of the petition. He lastly submits that as per the FIR, petitioner is the order giver and made firing in the air and nobody has assaulted by the petitioner. Petitioner is in custody since 12.03.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, injury report and impugned order of the learned District and Additional Sessions Judge-1st, Khagaria dated 16.05.2025, it appears that on the basis of written report of the informant Rahul Kumar, FIR has been registered under Sections 341, 323, 325, 354(B), 307, 447, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act. The allegation against the petitioner is that he dragged the father of the informant from the courtyard with abusive language and other accused persons assaulted with spade and iron rod and broken his right leg and dropped him on the ground. From perusal of the injury report, it also appears



that the injury of Pujo Ram, shows fracture of right femur and injury report of other injured persons is of back pain, whole body pain and simple in nature caused by hard and blunt substance, so considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria Muffasil P.S. Case No. 79 of 2024 arising out of G.R. No. 2001 of 2024.

(Ramesh Chand Malviya, J)

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