

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82136 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- GOPALPUR District- Gopalganj

Shailesh Shah @ Shailesh Sah S/O Arvind Shah Resident of village- Rampur
khurd, P.S- Gopalpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Adv.
	:	Mr. Pranav Bhaskar, Adv.
	:	Mr. Birottam Narayan Singh, Adv.
For the Opposite Party/s :	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 30-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 341, 323,
324, 307, 506 and 34 of the Indian Penal Code.

3. The case of the prosecution is that on 14.05.2024 at
6:30 P.M, the father of the informant namely Maheshwar Prasad
went to throw cow dung in fields. Due to previous enmity in
orchestra, the petitioner along with other 7 persons being armed
with *lathi* and iron rod surrounded the father of the informant
and assaulted him. It is also alleged that Rohit Shah assaulted
with iron rod and Raja with knife. It is further alleged that
Rohit, Raja, Prakash and Shailesh (petitioner) assaulted with



iron rod, knife and *dab* due to which he received injuries on his head and chest. The accused persons assaulted him and threatened of dire consequences.

4.Learned counsel for the petitioner submits that the occurrence is of 14.05.2024 whereas the information to police was given on 20.05.2024. It is further submitted that from perusal of the FIR it is clear that the nature of allegation is general and omnibus and it is clear that no specific weapon is attributed to any of the accused persons. The allegation is that Maheshwar prasad was assaulted with *lathi*, *danda*, *dab* and knife but from perusal of the FIR it transpires that there was no injury of *dab* or knife on the injured. The petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 02.09.2024.

5. Learned APP appearing for the state and learned counsel for the informant opposed the prayer of regular bail. Learned counsel for the informant submitted that it is explained in the FIR itself that as the informant was busy in treatment of the injured they have filed this case at the later stage.

6.Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be released on bail in connection with
Gopalpur P.S. Case No. 108 of 2024 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Additional Chief Judicial
Magistrate-V, Gopalganj.

(Ashok Kumar Pandey, J)

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