

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86317 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- KALYANPUR District- East Champaran

Hari Singh @ Hari kishor Singh, Son of Mosadi Singh, Resident of village-
Mani Bahuwara, P.S Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-04-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner, learned counsel for the informant and Mr. Ram Priya

Sharan Singh, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Kalyanpur P.S. Case No. 84 of 2021 registered for the
offence punishable under Sections 341, 323, 324, 325, 354, 307
and 302/ 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner
along with others assaulted the son of the informant by means of
knife, sword and iron rod. On alarm being raised by the son, the
informant and her husband arrived at the spot to rescue their
son, whereupon the husband of the informant was also assaulted
and injured. However, the son of the informant succumbed to
the injuries.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that from perusal of the F.I.R., it will transpire that there is general allegation against all the accused persons that they have indiscriminately assaulted the son of the informant by means of knife, sword and iron rod. During course of investigation, the informant has stated in her restatement that Hari Singh, the petitioner has assaulted with knife to her son. In this case, the husband of the informant has also given his statement before the police and he has stated that all the accused persons indiscriminately assaulted his son and that he went to rescue, Hari Singh assaulted him with knife. It has also been submitted that petitioner has earlier filed a case in year 2015 that is why he has specifically been named by the informant in her restatement. It has also been submitted that similarly situated co-accused, namely, Nawal Singh has been granted bail by learned Co-ordinate Bench vide order dated 16.01.2023 in Cr. Misc. No. 59924 of 2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 21.09.2024.



5. The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant. The learned counsel for the informant has submitted that the injured witness has stated that Hari Singh, the petitioner has assaulted the informant with knife and from perusal of injury report, it will transpire that he has received grievous injury.

6. Having heard learned counsel for the parties and considering the above facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage, however, **I direct for release of the petitioner on bail immediately upon framing of charge by the learned trial Court itself, subject to the conditions, as deemed fit and appropriate.**

7. Accordingly, the present petition stands disposed of.

(Ashok Kumar Pandey, J)

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