

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45753 of 2022**

Arising Out of PS. Case No.-76 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Siyaram Singh S/O Bharat Bhushan Singh @ Bharat Singh R/O Village - Jaitpur, P.S.- Udwant Nagar, District - Bhojpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 30-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Udwant Nagar P.S. Case No. 76 of 2021 registered for the offences punishable under Sections 147, 149, 323, 307, 379, 427 and 506 of the Indian Penal Code.

As per the prosecution, the informant was assaulted by this petitioner and other co-accused persons over a dispute regarding assault of one Ramjan by this petitioner.

The main submissions advanced by the learned counsel Mr. Ajay Kumar Singh appearing for the petitioner are that the present case is a counterblast of petitioner's case



bearing Udwant Nagar P.S case No.75 of 2021 lodged by the petitioner's aunt against the prosecution party and in the petitioner's case three persons including the petitioner sustained injuries and the petitioner's injury was opined to be grievous and two other persons sustained fire-arm injuries and their injury reports have been filed before this Court vide Annexure-3 series. Further submission is that petitioner has fair and clean antecedent and he has been languishing in jail since 02.06.2022

Learned APP Mr. Ram Naresh Ray appearing for the State as well as learned counsel appearing for the informant has vehemently opposed the bail prayer and submitted that against the petitioner there is a serious and specific allegation of having assaulted at the head of the informant by means of *danda*.

Having considered the above submissions and mainly taking into account the facts that as per above submission three persons including the petitioner sustained injuries in the occurrence alleged by petitioner's aunt in the FIR of Udwant Nagar P.S. case No.75 of 2021 which rises a presumption of an incident of free-fight having taken place in between both the parties and the allegation made against the prosecution party appears to be more serious than that of the present case as two persons from the petitioner's side sustained



fire-arm injury whose injury report has been filed before this Court and also considering the petitioner's clean antecedent and his custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Udwant Nagar P.S. Case No. 76 of 2021.

(Shailendra Singh, J.)

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