

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33254 of 2017

Arising Out of PS.Case No. -415 Year- 2016 Thana -HARSIDHI District- EAST CHAMPARAN
(MOTIHARI)

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Gyan Kunwar, Son of Sunil Kunwar, Resident of Village- Yadavpur, Police
Station- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 23-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Harshidhi P.S. Case 415
of 2016 instituted for the offence under Sections 341, 323, 324,
307, 379 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
occurrence took place between the parties on account of land
dispute. A counter case has been lodged by Babita Devi vide
Harshidhi P.S. Case No. 424 of 2017 on the same date of
occurrence.

There is allegation against the petitioner that he gave
Farsa blow on the head of the informant and when son of the
informant namely, Alok Kumar, came to save, then he was
assaulted by Sanjay Kunwar with *Farsa* on his head. The injury



report of this petitioner has been annexed as Annexure-2 wherein the Doctor has found two injuries. Injury No. 1 was incised wound on the vertex measuring 1-1/2" x 1/3" x 1/2" which was found to be grievous in nature caused by sharp edged weapon whereas injury No. 2 is simple in nature caused by hard and blunt object. .

From the impugned order it appears that the petitioner is in custody since 1.4.2017.

Keeping in view the period spent by the petitioner in custody as also there is land dispute between the parties and case and counter case between them, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Harshidhi P.S. Case No. 415 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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