

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43095 of 2018**

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1. Brijesh Patel S/o Sewak Patel, R/o Vill.- Murali Kharkatwa, P.S.-  
Shikarpur, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      19-07-2018      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner is in custody since 11.05.2018 in connection  
with Shikarpur P.S. Case No. 137 of 2018 registered under Sections  
341, 323, 324, 307, 427, 379,34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the  
petitioner, who is of clean antecedent, is innocent and has not  
committed any offence. In fact, there was land dispute between the  
parties and on account of that scuffle took place between the parties and  
case and counter case has also been lodged by both the parties.  
Moreover, injury received by the son of the informant has been opined  
as simple in nature, which is evident from annexure-4. The petitioner is  
rotting in judicial custody for the last two months.

Learned. A.P.P. for the State has opposed the prayer for  
bail and submitted that there direct allegation of giving garasi blow on



the head of the son of the informant resultantly he sustained two injuries.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner, accordingly, the prayer for bail of this petitioner is rejected.

However, the petitioner may renew his prayer for bail after framing of charge.

**(Arvind Srivastava, J)**

brajesh/-

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