

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45898 of 2018

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1. Ramesh Prasad Gupta, son of Lakshmi Prasad Gupta, resident of Village-Tarahi, P.S.- Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 07-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307 and 427 of the Indian Penal Code and Section 37(b) of the Bihar Prohibition and Excise Act, 2016.

Petitioner is said to have assaulted on the head, abdomen and broke finger of the informant by means of iron patti over property dispute in inebriated condition.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in the case by the informant due to land dispute. He happens to be teetotaler and never consumed any liquor.



Doctor has found three injuries on the person of the informant. Though injury no.1 and injury no.2 on the forehead and the abdomen of the informant caused by sharp cutting weapon and are incised wound but the aforesaid injuries have been found simple in nature. Albeit injury no.3 caused on the middle finger has been found grievous by the Doctor of Sadar Hospital, Saharsa, but it is not on vital part. He has no criminal antecedent and has been languishing in custody since 28.04.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Special Judge Excise Act, Saharsa in connection with Special Case No. 217 of 2018 arising out of Nauhatta P.S. Case No. 59 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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