

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11240 of 2020

Arising Out of PS. Case No.-723 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

MAHENDRA KAHAR S/o Nawmi Kahar R/o village and P.O. and P.S.-
Sonhan, District- Kaimur (Bhabhua), Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramanuj Tiwary

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 307, 354, 504, 506/34 of the
Indian Penal Code.

The allegation is that the accused persons including
the petitioner assaulted the informant and her mother-in-law by
lathi and danda, due to which they sustained injuries.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is a case and counter case between the parties. The counter case is Annexure 3 to the present application. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. There is admitted land dispute between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua (Sonhan) P.S. case No.723 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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