

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26093 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- DHANHA District- West Champaran

KISHOR KUSHWAHA SON OF RADHAKISHUN KUSHWAHA R/O
VILLAGE- SAHAZ TOLA BARAWA, P.S.- DHANHA, DIST.- WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 341, 323, 324, 307, 302,
504, 120(B), 34 of the Indian Penal Code.

As per the prosecution case the petitioner along with
ten other FIR named accused persons assaulted the informant
and his son due to which son of informant died.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case due to village politics. There is general and omnibus
allegation against the petitioner and specific allegation of assault
is against co-accused Govind Kushwaha, Dharmendra
Kushwaha and Binod Kushwaha. There is case and counter case
between the parties and similarly situated accused persons have



already been granted bail by this court. Petitioner is in custody since 06.01.2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Sri Sonu Kumar, Judicial Magistrate, 1st class, Bagaha, West Champaran in connection with Dhanaha PS case No. 66/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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