

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5185 of 2021**

Arising Out of PS. Case No.-155 Year-2018 Thana- BETTIAH CITY District- West  
Champaran

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MITHU KUMAR SON OF SRI ASHOK KUMAR @ ASHOK KUMAR  
GUPTA RESIDENT OF MOHALLA - KALIBAG, WARD NO. 12, P.S. -  
BETTIAH TOWN (KALIBAG), DISTRICT - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate  
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      21-06-2021                      Heard learned counsel for the petitioner and learned

APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bettiah Town P.S. Case no. 155 of 2018 registered under sections 307, 147, 148, 149, 323, 324 and 337 of the Indian Penal Code.

As per allegation in the FIR, it is stated that the seven named accused persons including the petitioner herein came in an intoxicated condition and started to abuse the informant's nephew. Suraj Kumar caught hold of the informant's nephew while Mikku Kumar assaulted him with his knife on his head.

It is submitted by learned counsel for the petitioner that the allegations levelled in the FIR are false and incorrect. The petitioner has been falsely implicated in the case. The injury



on the nephew of the informant alleged to have been caused by the petitioner have been found to be simple in nature. The petitioner is in custody since 18.5.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the nature of injury and the petitioner having remained in custody for over one year, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bettiah Town P.S. Case no. 155 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah.

**(Partha Sarthy, J)**

Spd/-

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