

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6438 of 2022**

Arising Out of PS. Case No.-519 Year-2019 Thana- MOTIHARI MUFASIL District- East  
Champaran

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KASHILAL @ KASHI PRASAD S/o Rajendra Prasad Resident of Village-  
Batrauliya, P.S.- Mufassil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      29-08-2022      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered  
for the offence punishable under Sections 147, 148, 149, 323,  
353, 333, 307, 504, 506, 120(B) of the Indian Penal Code.

Allegedly, the informant along with other forest officials  
found a saw mill owned by one Shyamal Prasad Kushwaha @  
Shyamal Bhagat and on enquiry, he could not produce any valid  
documents regarding permit. Thereafter the said mill was sealed  
and the tools were seized but in the meantime, the FIR named  
accused persons including the petitioner arrived there and  
prevented the officials from discharging their duties.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case at the instance of his enemies. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no concern with the owner of the mill nor he was present at the spot. The owner of the mill namely Shyamal Prasad Kushwaha @ Shyamal Bhagat @ Samal Bhagat has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 15.09.2020 passed in Cr. Misc. No.17217 of 2020. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Heard the parties and gone through the records. Vide order dated 28.07.2022, case diary and injury report were called for and on perusal of the injury report, it is evident that the injuries are simple in nature.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and the co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/Successor Court in connection with Motihari Mufassil P.S. Case No.519 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

pallavi/-

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