

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49328 of 2022**

Arising Out of PS. Case No.-29 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

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MITHUN KUMAR @ MITHUN MANDAL Son of Parmeshwar Mandal
Resident of Village - Mirachak, P.s.- Industrial Area, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with
Industrial Area PS Case No. 29 of 2020 registered under
Section 147, 148, 149, 323, 341, 307 of the I.P.C. and
Section 27 of the Arms Act.

As per the allegation made in the F.I.R. while the
son of the informant had gone in the field for cattle grazing,
the F.I.R. named accused persons started cutting bamboo
trees from the bamboo clump and upon objection raised by
the informant's son, he was assaulted by the petitioner and
other accused persons. It has further been alleged that when
the informant went to inquire about the incident, some of
the accused persons fired upon him also, due to which he



sustained fire arm injury on his thigh.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute between the parties. He further submits that from perusal of the First Information Report it would be evident that no specific allegation of firing or assault has been made against the petitioner however, subsequently, by way of an afterthought, the informant has stated during the course investigation that it was the petitioner who fired upon him. Learned counsel further submits that petitioner is in custody since 24.03.2022 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties, taking into consideration the the fact there is land dispute between the parties, petitioner is in custody since 24/03/2022 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur



in connection with Industrial Area P.S. Case No. 29 of
2020.

(Anil Kumar Sinha, J)

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