

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52123 of 2022

Arising Out of PS. Case No.-222 Year-2021 Thana- BIRPUR District- Supaul

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Awadh Kishore Lal Das, male, aged about 50 years, Son of Late Chet Narayan Lal Das, Resident of Village - Sitapur, Ward No. - 14, P.S. - Birpur, District – Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-12-2022 Heard the learned counsel for the parties.

The petitioner seeks bail in connection with Birpur P.S. Case No. 222 of 2021, dated 13.07.2021, instituted for the offences under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

The informant has alleged that while her son, who is the victim of this case, namely, Satish Kumar Das



was overseeing the construction of fencing work on the land belonging to her, the petitioner and about eight others came and stopped the construction work. When objected, the petitioner is stated to have assaulted the son of the informant on his nose by a sharp cutting weapon, leading to grievous injuries. The victim was assaulted by others also.

It has been submitted on behalf of the petitioner that the case arises out of a land dispute and there is a counter version of the occurrence also *vide* Birpur P.S. Case No. 223 of 2021.

The petitioner does not have criminal antecedents and though the injuries are stated to be grievous in nature, but the dimensions of the injuries have not been given.

Apart from this, it has been urged that the petitioner is in custody since 31.01.2022.

Considering the period of custody of the petitioner and other attendant facts, the petitioner,



above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Birpur P.S. Case No. 222 of 2021.

While saying so, the Court has taken note of the fact that all other accused persons of this case have been granted bail.

The petitioner, however, is cautioned that he shall participate in the trial and any attempt by him to either tamper with the evidence or threaten the witnesses or delaying the trial, would render the bail granted to him liable to be cancelled.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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