

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59362 of 2022

Arising Out of PS. Case No.-335 Year-2020 Thana- HARSIDHI District- East Champaran

MAHADEO RAM Son of Late Sukhal Ram R/O Vill- Pakadiya Tola Kubra,
P.S- Harsidhi, District- East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Harsidhi PS case no. 335 of 2020 instituted for the offences punishable under Section 307 and other allied sections of Indian Penal Code.

The case of the prosecution in brief is that on 07.08.2020, the accused persons were trying to take possession of the land of the informant, whereafter the informant had reached the place of occurrence and had resisted such attempts, whereupon the petitioner had assaulted the informant with farsa on his head, resulting in him sustaining grievous injuries. Other accused persons are also stated to have assaulted the other family members of the informant.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the



present case, is having a clean antecedent and is languishing in custody since 05.08.2022. The learned counsel for the petitioner has submitted that on account of land dispute, the petitioner has been falsely implicated by the informant in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and gone through the materials on record, from which, it is apparent that the petitioner has been alleged to have assaulted the informant with farsa on his head, resulting in him receiving grievous injuries, hence, though I am not inclined to grant bail to the petitioner at the moment, however, considering the fact that he is having a clean antecedent, I direct for release of the petitioner on bail, immediately upon framing of charges by the learned trial court, subject to such conditions as may be deemed fit and appropriate to be imposed by the learned court of C.J.M. East Champaran at Motihari in connection with Harsidhi PS case no. 335 of 220.

The present petition stands disposed off with the aforesaid directions and observations.

(Mohit Kumar Shah, J)

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