

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4780 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- MAHESI District- East Champaran

NITESH KUMAR @ NITESH RAI S/O LALBABU RAI R/v-
Bishambharpur, P.S.- Mehasi, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 447, 341, 448, 342, 323, 324, 307, 354, 379, 504 of the Indian Penal Code.

As per prosecution case, the informant alleged that on 20.8.2022 all the accused persons including the petitioner came at door of informant and started assaulting him due to which informant's side sustained injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is a previous dispute regarding partition between the informant family members and the petitioner due to this reason the



petitioner has falsely been implicated in this case. There is case and counter case, both parties sustained injuries as alleged in separate occurrences. As per injury report, injuries sustained injured are simple in nature. A statement has been made in para- 3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 3.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mehshi (Jai Bajrang O.P.) P.S. Case No. 254 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Motihari.

(Sunil Kumar Panwar, J)

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