

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6632 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- GWALPARA District- Madhepura

Md. Kudush @ Md. Khudush Son Of Late Kavir @ Late Kabir R/V- Reshna,
Ward No. 01, P.S- Gwalpara (Arar O.P) Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 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 341, 323, 324, 307, 379, 354, 504, 506, 34 of the Indian Penal Code.

As per prosecution case, informant alleged that on 10.09.2022, while he was taking tea at his door, in the meantime, petitioner along with co-accused persons armed with variously weapons came and started assaulting on his brother due to which he sustained injuries. It is further alleged that co-accused persons also assaulted informant and his mother and took away house hold articles and cash of Rs. 50-60 thousands from his house.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



informant is own nephew of the petitioner and a dispute in respect of passage is going on between them due to which the petitioner has falsely been implicated in this case. There is case and counter case between the parties. As per FIR, specific allegation of assault is against the co-accused persons not against this petitioner. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 05.11.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gwalpara (Arar O.P.) P.S. Case No. 194 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 J.M., Ist Class, Uda Kishunganj, Madhepura.

(Sunil Kumar Panwar, J)

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