

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10692 of 2023

Arising Out of PS. Case No.-445 Year-2020 Thana- ATRI District- Gaya

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MITHLESH PRASAD S/O RAMJEE YADAV Resident of Village-
Maulanagar, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
308, 504 & 506/34 of the Indian Penal Code.

The allegation against the petitioner is of assaulting
the informant by means of lathi.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
He has been falsely implicated in this case due to land dispute.
The allegation levelled against the petitioner is not specific
rather general and omnibus in nature. Both the parties are
agnates and there is admitted land dispute between the parties.
The injury sustained by the victim is simple in nature.



Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that there is land dispute between the parties and the injury sustained by the victim is simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Atri P.S. Case No. 445 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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