

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 10934 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- PARBATTa District- Khagaria

Sudesh Thakur S/O Late Ram Swroop Thakur Resident Of Village- Kewala,
P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Parbatta P.S. Case No. 127 of 2022 registered under sections 341, 323, 324, 307, 354(B), 147, 149, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner along with other co-accused persons is that they assaulted the informant and his family members by means of lathi, danda, spade and rod. Further alleged that when the informant's wife came to rescue of his son then they assaulted her and tried to outrage her modesty. It is also alleged that the petitioner assaulted the informant by means of spade on his head.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is agnate of the informant and there is land dispute between the parties since long due to which he has falsely been implicated in this case. It is further submitted that as alleged the petitioner assaulted the informant by means of spade whereas the injury report shows that the weapon used for assault is hard and blunt substance which is not corroborated by the prosecution version. It is also submitted that no significant abnormalities have been seen in the injury report. There is no specific allegation of outraging the modesty of the informant's wife against the petitioner. He has suo-moto surrendered on 21.11.2022 and since then he is languishing in judicial custody.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Parbatta P.S. Case No. 127 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of the learned Sub-Divisional Judicial
Magistrate, District- Khagaria.

(Sunil Kumar Panwar, J)

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