

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22243 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- SAKRA District- Muzaffarpur

SURESH MUKHIYA SON OF LATE KUSHA MUKHIYA RESIDENT OF
VILLAGE - BAZI BUZURH, P.S. - SAKRA (BARIYARPUR O.P.), DISTT. -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.
For the Opposite Party/s : Mr.Madan Kumar, APP.
Mr. Hanslal Kumar, Adv.
Mrs. Durga Chaudhary @ Durga Saw, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 342, 325, 307 & 326 of the Indian Penal Code.

3. The prosecution story, in brief, is that petitioner had taken loan of Rs. 10,000/- to build a home and promised the informant to return the said amount within two months. After sometime, when informant went to him and asked for his money, petitioner caught his hand from back side and assaulted him on his neck by means of sickle, due to which informant sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. Though, the opinion regarding the injury is kept reserved, but from bare perusal of the injury report, it is apparent that only a skin deep injury was found. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, 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 Sakra P.S. Case No. 426 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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