

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32282 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- KHARHAGPUR District- Munger

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KAMLESHWARI MANDAL Son of Late Ramdev Mandal Resident of
Village - Jawayad, Police Station - Haveli Kharagpur (shampur O.P.), District
- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 325, 326 and
307 of the IPC.

3. As per prosecution case, the informant alleged that
his younger brother came to his house in drunken condition and
started abusing him and his wife Hema Devi. It is further
alleged that when they forbade him to abuse, then he assaulted
on the head of informant's wife, due to which she sustained
injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to



dirty village politics. He has committed no offence. There is no any independent witness has been examined by the I.O. He submitted that informant and petitioner both are own brother. The petitioner wants to his share, in his ancestral property, but informant wants to grab the entire property himself, for this reason the petitioner has been implicated in this case. As per Injury report, it appears that only one injury sustained to the informant's wife over her head. There is no repeated blow by the petitioner to the injured. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 09.02.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Kharhagpur P.S. Case No. 56 of 2022 with a following conditions:-



(i) The petitioner will co-operate in conclusion of the trial.

(ii) The petitioner will remain present on each and every date of trial till disposal of the case.

(Sunil Kumar Panwar, J)

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