

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.32080 of 2023

Arising Out of PS. Case No.-608 Year-2022 Thana- BARHARA District- Bhojpur

=====

PURNWASI BIN Son of Late Harihar Bin Resident of village - Naya
Khawaspur, P.S. - Krishnagarh O.P., Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Barhara Town Police Station Case No. 608 of 2022, dated
16.08.2022, disclosing offences under Sections
147/148/149/341/323/307/354(B)/448/379/504/506 of the
Indian Penal Code and Section 27 of Arms Act.

The prosecution case, on the basis of First
Information Report, is that altogether twenty two persons
arrived at the house of the informant and out of them four to
five persons assaulted the informant, his wife and his sons by
means of iron rod, lathi, danda, etc.



Learned counsel for the petitioner submits that from perusal of the First Information Report it would be evident that there is no allegation of assault against the petitioner and four to five persons named in the First Information Report have allegedly assaulted the informant and his family members. He further submits that the occurrence has taken place on trivial issue of construction of drainage near the house of the informant and eight named co-accused persons have been granted bail by different Co-ordinate Benches of this Court in Criminal Misc. No. 73463/2022, 13222/2023, 14277/2023, 15393/2023 and 10203/2023. He next submits that the petitioner is in custody since 18.09.2022, having no criminal antecedents.

Regards being had to the submissions made by the parties and taking into consideration the nature of allegation and the fact that similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court and the petitioner is in custody since 18.09.2022, accordingly, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of



learned Chief Judicial Magistrate, Bhojpur in connection with
Barhara Town Police Station Case No. 608 of 2022.

(Anil Kumar Sinha, J)

ashwani/-

U	✓	T	✓
---	---	---	---

