

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33650 of 2023**

Arising Out of PS. Case No.-264 Year-2020 Thana- DHANARUA District- Patna

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Sunil Prasad, Male, aged about 36 years, Son of Vasudev Prasad Resident of  
Chotki Simhari, PS- Dhanarua, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                                                                                            |
|----------------------|---|----------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Madhumay Madhup, Advocate<br>Mr. Nishikant, Advocate<br>Mr. Anand Kumar Tiwari, Advocate<br>Mr. Ranjit Kumar, Advocate |
| For the State        | : | Mr. Ramchandra Sahni, APP                                                                                                  |
| For the Informant    | : | Mr. Lallu Prasad, Advocate                                                                                                 |

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      24-06-2023                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Dhanarua  
P.S. Case No. 264 of 2020 dated 16.09.2020 registered for the  
offence punishable under Sections 341, 342, 323, 307, 504 and  
506/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

The allegation against the petitioner is that he along  
with other accused persons assaulted the informant with regard



to dispute relating to drain water falling in the common lane next to the house of the accused persons and the informant.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to ongoing dispute with respect to disposal of drain water by the informant in the common lane of the informant and of accused persons. The allegation against the petitioner that he is order giver is afterthought as the FIR has been lodged after an inordinate delay of six days without any explanation. There is no criminal antecedent of the petitioner and the other co-accused persons namely, Bhushan Prasad and Basudev Prasad have been granted regular bail vide order dated 04.02.2021 by the learned Additional Sessions Judge, Masaurhi in BP No. 376 of 2020. Co-accused, namely, Satendra Prasad has also been granted bail by the Court below under Section 167(2) Cr.P.C vide order dated 03.06.2021. The petitioner is in jail custody since 14.03.2023.

Learned APP assisted by learned counsel for the informant opposes the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing



bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class at Masaurhi, Patna in connection with Dhanarua P.S. Case No. 264 of 2020.

**(Sunil Dutta Mishra, J)**

P. Kumar

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