

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36791 of 2023

Arising Out of PS. Case No.-1080 Year-2022 Thana- TURKAULIYA District- East
Champaran

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ASHKARAN RAI @ AASKARAN KUMAR S/O MAHABIR RAI @
MAHABIR RAY R/O Village- Jaisinghpur (Sharda Tola), P.S- Turkauliya,
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 341, 323,
324, 308, 379, 504, 506 of the Indian Penal Code.

As per prosecution case, the informant alleged that
while her son namely, Byasmuni Kumar was returning from
Bathan, meanwhile, the petitioner along with other co-accused
persons took him to their house and assaulted him. During
course of this incident, this petitioner assaulted the informant's
son by means of *Garasa* due to which he sustained injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



informant and the petitioner are agnates and a dispute regarding land is existing between the parties due to which this petitioner has falsely been made accused in the present case. From perusal of impugned order, it appears that the injured sustained lacerated wound whereas the allegation has been made that the petitioner assaulted by means of *garasa*. The injury report does not in consonance with the prosecution. It is further submitted that petitioner is languishing in judicial custody since 2.3.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Turkauliya P.S. Case No. 1080 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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