

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45285 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- RASULPUR District- Saran

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KANHAIYA SAH S/o- LAKSHAMI SAH Village- Pandey Chapra Ps-
Rasulpur Dist- saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 447, 323, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that the petitioner along with co-accused persons, in the background of dispute, assaulted the informant and others due to which they sustained injuries. Thereafter, the present FIR has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the informant are agnates and a dispute in respect of passage of way was going on between them due to which the petitioner has falsely been implicated in this case. From perusal



of FIR, the nature of allegation against the petitioner is general and omnibus. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 4.4.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rasulpur P.S. Case No. 78 of 2023 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, Saran at Chhpara. .

(Sunil Kumar Panwar, J)

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