

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43426 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- MADHUBAN District- East Champaran

SURESH RAM, S/O LATE MAHADEO RAM R/O Village- Sirauli, P.S-
Madhuban, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Madhuban P.S. Case No. 144 of 2023 dated 01.04.2023 registered for the offences punishable u/ss 341, 323, 325, 307, 379, 504, 506 read with Section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner is alleged to have assaulted the informant's wife with Kudal thrice and she sustained head injury.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner and the informant are co-villagers, neighbour and *gotiya* and there is land dispute between the parties. No offence under Section 307 of the Indian Penal Code is made out against the petitioner. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the injury is grievous in nature.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Madhuban P.S. Case No. 144 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court



below on each and every
date, failing which on two
consecutive dates without
reasonable cause, his bail
bonds are liable to be
cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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