

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45343 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- RAMGARHWA District- East
Champaran

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ASESAR MAHATO Son of Gorakh Mahto Resident of village - Piparpati,
P.S. - Ramgarhwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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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.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 341, 323,
307, 147, 148, 504, 506 of the Indian Penal Code.

As per prosecution case, the accused persons
including the petitioner assaulted on the head of the informant
and her husband with intention to kill them and they also took
away cash of Rs. 10,000/-, ornaments and other valuable articles
from the house of the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to previous land dispute.



The F.I.R. has been lodged after delay of five days without given any cogent reasons. As per impugned order, it appears that the informant sustained one lacerated wound on her head but the nature of injury is not mentioned. Similarly situated co-accused has already been granted bail by this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 10105 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 27.10.2022.

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 as well as being a lady 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 Ramgarhwa P.S. Case No. 289 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 Sub-Divisional Judicial Magistrate, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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