

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45652 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- HASANGANJ District- Katihar

Suryadeo Chouhan @ Suryoday Chouhan S/O Chanda Chouhan @ Chandu Chouhan R/O Village- Deonathpur, Ps. Hasanganj, Dist. Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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 filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 307, 323, 379, 325, 504 and 506 of the Indian Penal Code.

As per prosecution case, on 17.08.2022 all the named accused persons including this petitioner armed with lathi, bhala, sword came to the informant and brutally assaulted the informant and his family members by their arms. It is further alleged that during occurrence the petitioner assaulted to informant on his head by sword with intention to kill him.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The allegation against



the petitioner is that he along with co-accused Subodh Chouhan inflicted sword blow on the head of the informant, but no injury on his head was found and only the injuries on his legs and hands were found. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused Subodh Chouhan has already been granted bail by a co-ordinate Bench of this Court vide order dated 20.03.2023 passed in Cr. Misc. No. 69807 of 2022. Moreover, the petitioner is languishing in judicial custody since 19.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hasanganj P.S. Case No.98 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Katihar.

(Sunil Kumar Panwar, J)

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