

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52522 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- PARASBIGHA District- Jehanabad

Mithilesh Mochi @ Das @ Mithlesh Das S/O Late Moti Das Resident Of
Village-Kalupur, P.S.-Parasbigha, District-Jehanabad. Petitioner/s
Versus

The State Of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioner, counsel for
the Informant and learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 308, 504 and 506/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 4 named accused persons including the present petitioner. It has been alleged that on the date of alleged occurrence (09.07.2022) at about 1pm informant was sitting at his house then the accused persons came holding lathi, rod, khanti and started abusing the informant and then assaulted him. Due to the said assault by the rod on the head of the informant, injury took place and bleeding also started. It has also come that upon informant's noise, his family members came and due to injury he was referred to PMCH, Patna.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He submits that the informant of this case is *Upsarpanch* and the informant side also attacked on the house of the petitioner and injured his family as well, for which the petitioner's side filed a criminal case bearing FIR No.192 of 2022 in P.S. Parasbigha, Jehanabad and the said occurrence took place on 09.07.2022 in the evening at about 8pm. Counsel submits that antecedent of the petitioner is clean and there is a case and a counter case filed in this case. He submits that the petitioner's side and informant's sides are well known to each other and they are the residents of the same village and due to village politics the dispute took place among them and injury took place to both the sides.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances it is clear that there was no intention of the petitioner to kill the informant's father, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned Judicial Magistrate- 1st Class, Jehanabad, in connection with Parasbigha

P.S. Case No.175 of 2022, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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