

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58342 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- BIRPUR District- Supaul

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INDRADEV BHINDWAR SON OF LATE DANALAL BHINDWAR R/O
VILLAGE- KHONTAHA, P.S.- BIRPUR, DISTT.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the

petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with S.T. 390 of 2022, arising out of
Birpur P.S. Case No. 175 of 2022 for the offence
registered under Sections 341, 323, 324, 307, 379
and 504/34 of the Indian Penal Code.

The allegation is regarding the petitioner
and other co-accused persons, variously armed
having attacked the informant and his family
members while the informant and his family
members were working in their field. As far as the
petitioner is concerned, he is alleged to have



assaulted the informant on his head by axe resulting in him sustaining injuries, whereafter, other co-accused persons has also assaulted the informant and his family members and had snatched a sum of rupees twenty thousand.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 28.06.2022. The learned counsel for the petitioner has referred to the injury report of the informant, annexed as Annexure-3 to the present petition to show that the injuries, whatsoever, sustained by the informant are simple in nature. It is also submitted that the present case arises out of case and counter case on account of pre-existing land dispute in between the parties.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the injuries sustained by the informant, attributable to the petitioner, has been found to be simple in nature, the petitioner is having a clean antecedent and he is languishing in custody since 28.06.2022, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge Supaul in connection with S.T. 390 of 2022, arising out of Birpur P.S. Case No. 175 of 2022.

(Mohit Kumar Shah, J)

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