

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58934 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- KHARIK District- Bhagalpur

Shamsher Baitha S/O Sullo Baitha Village/Po- Tulsipur, Ps- Kharik, Dist- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 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, 302, 504, 506, 34 of the Indian Penal Code.

As per prosecution case, the petitioner along with a co-accused persons assaulted the informant and his son due to which they sustained injuries. It is further alleged that his son was taken to hospital and during treatment he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to previous enmity. During investigation, independent witnesses have stated that the son of the informant sustained injury during the course



of occurrence, while he was trying to stick to the informant/her mother which is mentioned at paras 42, 43, 44 of the Case Diary. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 31.01.2023.

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, this court is inclined to enlarge the petitioner on bail after framing of charge, if not framed. The above named petitioner is directed to be released on bail in connection with Kharik P.S. Case No. 292 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 concerned Court.

(Sunil Kumar Panwar, J)

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