

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63662 of 2023

Arising Out of PS. Case No.-460 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Mahendra Kohar @ Mahendra Prasad Prajapati son of Ram Bachan Kohar
resident of Village- Bamhaur Khas Ps- Mohania Dist- Kaimur Bhabua
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
		Mr. Praveen Kr., Advocate
For the Opposite Party/s :		Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mohania P.S. Case No. 460 of 2023 dated 04.07.2023 instituted for the offence punishable under Sections 341, 323, 324, 307, 504, 506, 334 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner and other co-accused persons were grabbing the land of the informant by making a path on her land. On protest made by the informant, they started assaulting the informant and her husband. It is further alleged that petitioner gave *Farsa* blow on the head of her husband, due to which he sustained grievous injury on his head. During this incident, the informant sustained



injury in her finger.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner and the informant are the close agnates. Learned counsel for the petitioner submits that due to land dispute between the parties, there is a counter case bearing Mohania P.S. Case No. 461 of 2023, which has been lodged by the petitioner against the husband of the informant and her family members for the same occurrence. Learned counsel for the petitioner further submits that injury is simple in nature. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mohania P.S. Case No. 460 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Kaimur subject to condition as laid down under



Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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