

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63603 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- JAGDISHPUR District- Bhojpur

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TUNTUN MUSHAR S/O LATE MAHANGU MUSHAR @ MAHANGU
RAM R/O WARD NO. 18, PURAV TOLA (MUSHAR TOLI),
JAGDISHPUR, P.S- JAGDISHPUR, DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Archana Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 323,
341, 337, 338 and 302 of the Indian Penal Code.

3. As per FIR, it is a case of assault due to which, the
informant sustained injury and it is further alleged that the
accused persons also assaulted the brother-in-law (*Sala*) of the
informant namely, Mahesh Mushar due to which he died on the
way to hospital.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. There is general and



omnibus allegation against the petitioner and no specific overt act of assaulting against the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 17.07.2023 passed in Cr. Misc. No. 39926 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 107 of 2023.

(Sunil Kumar Panwar, J)

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