

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65337 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- CHUTIA SAHAYAK District- Rohtas

Mahen Chandra Mishra @ Mahem Chandra Mishra Son of Late Sumer Mishra Resident of Village- Parariya, P.S.- Chutiya, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-02-2023 Let the defect(s), if any, be removed within two weeks from today.

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

The petitioner seeks regular bail in connection with S. Tr. No. 489 of 2022 (arising out of Chutiya P.S. Case No. 40 of 2022) lodged under Sections 147, 149, 341, 323, 504, 506, 307 of the I.P.C.

As per the prosecution case, the F.I.R. has been lodged against 7 named accused persons in which the allegation of attempt to murder is there in the F.I.R. which alleged to take place at about 08.00 P.M. on 13.07.2022. The allegation against the petitioner and one other accused to assault by iron rod and

further to assault the informant's wife.

Learned counsel for the petitioner submits that for the same date, time and place of occurrence, there are 2 criminal cases filed. One criminal case is Chutiya P.S. Case No. 39 of 2022 which has been filed by the brother of the present petitioner, whereas the another case which was filed that is Chutiya P.S. Case No. 40 of 2022 in which petitioner was accused. Counsel submits that both informant and accused persons belongs to same village and they are *Gotiya*, residing in the same village. For petty village politics, the dispute has occurred and resulted into scuffling, thereafter, 2 criminal cases, i.e. case and counter case have been filed. Counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 14.07.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-19, Rohtas at Sasaram in connection with S. Tr. No. 489 of 2022 (arising out of Chutiya

P.S. Case No. 40 of 2022), subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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