

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67244 of 2022

Arising Out of PS. Case No.-336 Year-2022 Thana- KESARIA District- East Champaran

Janak Kumar @ Vivek Mishra @ Vivek Kumar Son Of Kumod Mishra R/O
Village - Bathna, Chakdariya, P.S.- Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-02-2023 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
Kesariya P.S. Case No. 336 of 2022 lodged under Sections 457,
380, 324, 341, 307 of the I.P.C.

As per the prosecution case, the allegation against the
petitioner is that he entered in the house of the informant and
tried to break the box. In the meantime, the informant reached
there. Upon noise, the said petitioner attacked 5-6 times on the
head of the informant and thereafter, the accused fled away. He
also injured one person, who was going for a morning walk.

Learned counsel for the petitioner submits that allegation against the petitioner is not correct. He submits that both the informant and the petitioner belong to the same village and they are neighbours as well. He further submits that injury report is there in the petition (Annexure-2), in which it has come there are five injuries that had taken place but all the injuries are of swelling nature only. Counsel further submits that all the injuries are simple in nature and caused by hard and blunt object. He further submits that it was alleged in the F.I.R. that knife was in the hand of the accused.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 13.07.2022 having clean antecedent.

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 C.J.M., Motihari, East Champaran in connection with Kesariya P.S. Case No. 336 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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