

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70667 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- KADWA District- Katihar

Hassan, Son Of Garibul Hassan Vill . Palla Bari, Ward No. 8, P.S. Kadwa,
District Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Pandey, Adv.
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the Informant	:	Mr. Md. Helal Ahmad, Adv.
		Mr. Rupesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Kadwa P.S. Case No. 123 of 2023, lodged on 16.06.2023 under
Sections 323, 307 & 354 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the present petitioner against whom the
allegation is that he has attacked by knife repeatedly on his
cousin brother by which blood was started oozing.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also
submits that informant and the petitioner both belongs to the
same ancestor. Counsel for petitioner further submits that he has
annexed the injury report in Annexure- 2 and 2/A and from the



injury report, it transpires that all injuries are simple in nature. Counsel also submits that due to land dispute this event has occurred.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 17.06.2023.

6. Learned APP for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Kadwa P.S. Case No. 123 of 2023, pending before the learned District and Sessions Judge-V, Katihar is hereby rejected.

9. However, the petitioner shall move for regular bail after framing of charge when the Trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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