

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70491 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- RAMGARHWA District- East
Champaran

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KANHAIYA PANDIT Son of Briksha Pandit R/o vill - Raghunathpur, P.S. -
Ramgarhwa, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 341, 323,
324, 427, 307, 504 and 34 of the Indian Penal Code.

3. It is case of assaulting. The allegation against the
petitioner is that he gave knife blow in right side of stomach of
the informant causing bleeding injury.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. The F.I.R. has been lodged after the delay of three days.
Both the parties are members of same family and there is



dispute of share between them and both the parties are claiming the disputed land. There is no allegation for repeatation to assault against the petitioner. During course of investigation, no direct or indirect evidence has come against him. The injury report of the informant has not supported the prosecution case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 16.07.2023.

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

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 S.D.J.M., Raxaul, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No. 303 of 2023.

(Sunil Kumar Panwar, J)

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