

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72508 of 2023

Arising Out of PS. Case No.-67 Year-2020 Thana- KOPA District- Saran

SUKESH UPADHYAY @ SUKESH MISHRA Son of Raghunath Upadhyay
@ Raghunath Mishra R/o vill - Choukhra, P.S. - Kopa, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 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 341, 323, 307, 504/506,
and 34 of the Indian Penal Code.

3. As per FIR, it is a case of assault by the petitioner
along with others due to which, the informant sustained injury.

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. He submitted that there
is no eye-witness of the alleged occurrence. There is general and
omnibus allegation against the petitioner and no specific overt
act of assaulting against the petitioner. Petitioner has got no
criminal antecedent as stated in para-3 of the bail petition. He is



languishing in judicial custody since 06.08.2023.

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 Additional Chief Judicial Magistrate,
Saran at Chapra in connection with Kopa P.S. Case No. 67 of
2020.

(Sunil Kumar Panwar, J)

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