

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76902 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- PALANWA District- East Champaran

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DHANESH KUSHWAHA @ DHANESH MAHTO S/O- MOTILAL
MAHTO R/O- VILLAGE- LAXMIPUR, P.S.- PALANWA, DIST.- EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 324, 307, 353, 332 and 504 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner assaulted the *chowkidar* with different weapons due to which he sustained injury.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that the similarly situated co-



accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 27.07.2023 passed in Cr. Misc. No.34874 of 2023. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Palanwa P.S. Case No.14 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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