

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77885 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- BALIGAON District- Vaishali

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KAPLESHWAR RAI @ KAPILESHWAR RAI S/O NANKI RAY R/O
VILLAGE- AKHTIYARPUR DOGHARA, P.S- BALIGAON, DISTT.-
VAISHALI (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 323, 307, 325, 504, 506 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, this petitioner is alleged to have assaulted the informant with butt of rifle on his head causing grievous 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 due to political rivalry. There is case and counter case between both the parties. The petitioner was not present at the alleged place of occurrence. It is also submitted that during



investigation mobile tower of this petitioner does not locate at the place of occurrence which also falsify the present allegation on him. The other co-accused Md. Lukman and Raushan Kumar have already been granted bail by learned Sessions Judge and Additional Sessions Judge-XII, Vaishali at Hajipur respectively. Moreover, the petitioner is languishing in judicial custody since 12.09.2023.

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 Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Baligaon P.S. Case No.29 of 2022.

(Sunil Kumar Panwar, J)

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