

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.282 of 2023

Arising Out of PS. Case No.-252 Year-2021 Thana- BAIRIYA District- West Champaran

BHARAT KUMAR @ BHARAT SAH Son of Late Hiranman Sah Resident of
village - Bagahi Ratanpur, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with other co-accused persons assaulted the informant by means of *Dabila* due to which he sustained injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the informant belong to same family and a dispute in respect of share of land was between them due to which the petitioner has falsely been implicated in this case. It is further submitted that the the injury report vide Annexure-2 does not in-



consonance with the prosecution version which shows that injuries sustained by informant is caused by hard and blunt substance, whereas, the allegation has been made against this petitioner is of assaulting the informant by means of *Dabila* which is sharp cut weapon. There is case and counter case between the parties. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 19.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bairiya P.S. Case No. 252 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Bettiah, District- West Champaran.

(Sunil Kumar Panwar, J)

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