

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7730 of 2023**

Arising Out of PS. Case No.-98 Year-2022 Thana- MAHISHI District- Saharsa

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KESHO SHARMA @ KESHO TANTI SON OF LATE SARYUG TANTI  
R/O VILLAGE- KOHBARWA BATHAN, P.S.- MAHESHI, DISTRICT-  
SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Harun Quareshi, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      24-06-2023      Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 354, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, after some altercation, petitioner is said to have assaulted the informant by means of lathi due to which he sustained head injury. He also assaulted the informant's wife and took golden chain from her possession.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are own brothers. Petitioner is aged about 81 years. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to village politics. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. There is inordinate and abnormal delay of eight days in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. The opinion with regard to injury found over the victim's body has been kept reserved. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the age of the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Maheshi P.S. Case No. 98 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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