

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8314 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- JOGAPATTI District- West Champaran

Arjun Prasad @ Arju Kumar Dashrath Mahto, R/o- Village- Mishrauli Goita
Tola, Ward No.- 12, P.S.- Shanichari O.P, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Digvijay Kumar Ojha, Advocate
For the Informant/s	:	Mr. Sanjeev Kumar, Advocate
		Ms. Bharti Rai, Advocate
For the Opposite Party/s :		Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jogapatti P.S. Case No. 413 of 2023, instituted for the offences punishable under Sections 323, 341, 324, 325, 307, 379 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, on the issue of piling, when informant told the petitioner for measurement of land first and then start piling, the petitioner started abusing and a quarrel took place. On protest by the informant, petitioner along with other co-accused persons started assaulting him with iron rod and gave a blow on the head of the informant with a



intention to kill him. The informant sustained head injury. Informant's son namely Brijesh Kumar was also assaulted by the petitioner and got a *farsha* blow in his head due to which he sustained injury. A golden chain and Rs. 5000/- was also snatched from the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence, rather he has falsely been implicated in this case due to malafide intention of the informant. The nature of injury caused to the informant and his son are simple in nature and has been caused by hard and blunt object. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 16.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Jogapatti P.S. Case
No. 413 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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