

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8267 of 2024

Arising Out of PS. Case No.-717 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Bhageshwar Paswan, S/O- Ramchandra Paswan, R/O- Mohalla- Kunwari
Devi Chowk, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Town P.S. Case No. 717 of 2023 registered for the alleged offences under Sections 447, 341, 323, 324, 308, 354(B), 379, 504/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other accused persons abused and assaulted the informant and her family members. The occurrence took place in the background of land dispute between the parties.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute. The allegation against the petitioner is



that of causing injury on the head of the informant with *khanti*, but no such injury has been found on the informant. The learned counsel further submits that all offences are bailable in nature except offences under Sections 308, 354(B) and 379 IPC. The injuries on the informant are merely abrasion on left forearm and swelling on lower leg and all the injuries are stated to be simple. So the allegation gets falsified against the petitioner, who is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the superficial nature of injury of the informant which was merely abrasion and swelling and no fracture of any wound was found and there appears no attempt on the life of the informant, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Town P.S. Case No. 717 of 2023, subject to the conditions mentioned in Section



438(2) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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