

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26796 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- HASANPUR District- Samastipur

Sudhir Mukhiya S/o Late Hansi Mukhiya Resident of Village Hasanpur,
Police Station Hasanpur, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 30-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Hasanpur P.S. Case No. 52 of 2023, registered for the offences punishable under Sections 341, 342, 323, 504, 506, 307/34 of the Indian Penal Code.

3. As per allegation, the petitioner (husband of the informant) inflicted *daab* blow on the head of the informant, with an intention to kill her. Blood was oozing out of informant's head and she became unconscious and fell on the ground. When she regained her consciousness, she found herself in hospital.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case due to land dispute between the parties. He has submitted further that during course of investigation, not a single eye-witness has supported the prosecution case. There is delay of 15 days in lodging the FIR and the petitioner is under custody since 02.12.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that from perusal of injury report, it appears that the injury suffered by the informant on her head is grievous in nature.

6. Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privilege for bail, which is hereby rejected.

7. However, the petitioner, if so advised, may renew his prayer for bail after one year if the trial is not concluded till then.

(Nawneet Kumar Pandey, J)

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