

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49587 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- CHAPRA TOWN District- Saran

Chandra Bhushan Prasad Son Of Late Satyadeo Prasad R/O- Village- Titira,
P.O.- Tole Hanuman Nagar, P.S.- Mairawan, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Manoj Kumar, Advocate

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State, as also learned counsel for the informant.

2. The petitioner seeks bail in connection with Chapra
Town P.S. Case No. 104 of 2024 instituted for the offence under
Sections 341, 323, 324, 307/34 of the Indian Penal Code.

3. Prosecution case in short is that co-accused persons
including the petitioner have assaulted the friend of the
informant, namely, Umesh Kumar Yadav and when the
informant came to save him, co-accused, namely, Rajnish
Kumar gave a knife blow on forehead of the informant. It is also
alleged that petitioner tried to strangulate him while sitting on
his chest. On hue and cry, petitioner was apprehended with the
help of public.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-02-2024. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is land dispute between the parties. From perusal of the injury report, it would reveal that injury is simple in nature caused by hard and blunt substance. Hence, allegation of strangulation does not corroborate with the version of the prosecution.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being land dispute between parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Chapra



Town P.S. Case No. 104 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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