

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55572 of 2024

Arising Out of PS. Case No.-329 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Dukhanti Kharwar @ Dukhanti Kahar son of Late Mangeru Kharwar @ Late
Baswan Khar Village- Hasanpurar PS- Mohania Dist- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv.

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

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

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mohania P.S. Case No. 329 of 2024 instituted for the offences under Sections 147, 148, 149, 341, 323, 354, 307, 504, 506 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of abusing and assaulting the Informant by means of *lathi-danda* due to which he sustained injury on his head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case



due to dirty village politics. Both the parties are co-villagers and there is a land dispute between them. He further submits that the injuries sustained by the Informant is simple in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct and specific allegation of assault against the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Mohania P.S. Case No. 329 of 2024.

(Rudra Prakash Mishra, J)

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