

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56593 of 2023

Arising Out of PS. Case No.-468 Year-2022 Thana- BARHARA District- Bhojpur

BAIJNATH TURHA S/O - LATE BHUNESHWAR TURHA R/O VILLAGE -
FARHADA, P.S. - BARHARA (SINHA O.P.) District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepali Singh Mr. Sumeet Kumar Singh Mr. Alka Singh
For the Opposite Party/s :		Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 323, 341, 307, 468 of the Indian Penal Code later on Section 302 of the IPC was also added.

3. As per FIR, informant alleged that the petitioner assaulted him due to previous land dispute and he also submitted that the other co-accused persons assaulted his family members due to which his brother sustained injuries and succumbed to injuries.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to dirty village politics and previous land dispute. It is submitted that the petitioner has not specifically assaulted to the informant's brother/deceased rather co-accused persons assaulted to informant brother due to which he sustained injuries and succumbed to injuries. The informant was assaulted by the petitioner and there is no injury report available regarding his injury. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 19.04.2023 passed in Cr. Misc. No. 421 of 2023. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.08.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barhara Sinha O.P. P.S. Case No. 468 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Ara Bhojpur.

(Sunil Kumar Panwar, J)

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