

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69532 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Prakash Sahani @ Ramprakash Sahani Son of Raghunath Sahani Resident of
Village- Adulpur (Adalapur), Ward No. 10, P.S.- Motipur, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioner and Mr. Anil
Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner caught the hair of the informant and pulled his neck. After that started cutting his neck by knife.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During course of the argument, learned counsel for the petitioner has submitted that from the statement of the witnesses during investigation, has not corroborated the story of the prosecution. From perusal of the para-5 and para-7, it is clear that the witnesses have not



named/specified this petitioner rather one of the witnesses also stated that there is dispute of some cash between the parties. From perusal of the injury report, it transpires that the informant has received a cut injury over his neck which seems to be superficial as the measurement of the injury is 6 cm x 1cm muscle deep. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motipur P.S. Case No. 290 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 2nd (west) Muzaffarpur.

(Ashok Kumar Pandey, J)

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