

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85281 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Chhathu Mahato S/O Late Baburam Mahato R/O Village- Baithaniya, P.S-
Majhauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 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 447, 341,
323, 324, 307, 384, 427, 504, 506, 34 and 120(B) of the Indian
Penal Code and Section 27 of Arms Act.

3.Allegation against the petitioner along with other
co-accused persons is that they came at the premises of
informant, and they started indiscriminate firing. It is further
alleged that they assaulted the informant along with his
members. Allegation against this petitioner is that he assaulted
one Roj Mohammad on his head due to which he sustained
injury.



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 due to land dispute. The nature of injury of the injured, namely, Roj Mohammad who sustained injury by the assault of this petitioner is simple and in support of this Annexure-3/1 of this petition has been annexed. Moreover, the petitioner is languishing in judicial custody since 25.09.2023.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motihari Town P.S. Case No. 533 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 Chief Judicial Magistrate, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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