

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90277 of 2024

Arising Out of PS. Case No.-54 Year-2023 Thana- DHIBRA District- Aurangabad

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Dhananjay Mistry @ Dhananjay Mishri @ Dhananjay Vishwakarma S/o Late
Umesh Mistry R/o Village- Baranda Rampur, P.S.- Dhibra, District-
Aurangabad (Bihar). Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Dhibra P.S. Case No. 54 of 2023, registered for

the offences punishable under Sections 323, 308, 504, 379, 34 of

the Indian Penal Code.

3. As per FIR, allegation against petitioner is to assault

informant and others, causing head and bodily injuries by using

danda etc., where occurrence alleged to be arising out of land

dispute.

4. Learned counsel appearing on behalf of the petitioner

submitted that the parties are agnates and in the background of

land dispute i.e. partition *qua* ancestral house, the present criminal

case was lodged against petitioner. It is submitted that the alleged

assault not appears repeated and, moreover, upon medical



examination, nature of injury found simple, negating *prima facie* that the act alleged was an attempt which may likely to cause death of injured. Petitioner said to be a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as alleged assault was single, where nature of injury upon medical examination found simple in nature, coupled with the fact that petitioner is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad/concerned Court, where the case is pending in connection with Dhibra P.S. Case No. 54 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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