

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34957 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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VIKASH KUMAR @ VIKASH MAHTO Son of Pradeep Mahto Resident of
Village-Chunabhatti, Laxmi Sagar, P.S. University, District-Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 448, 341, 323, 307, 354, 504, 34 of the Indian Penal Code and 37(c) of Bihar Prohibition and Excise Act,, 2016.

The prosecution case in short is that the accused persons in drunken state entered into the house of the informant and started abusing and on protest, assaulted the informant due to which she sustained injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.3.2019. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. As per FIR, the petitioner in drunken state is said to have assaulted by knife but as per the injury report, the injury is said to have been caused by hard and blunt substance. The injury report does not corroborate with the allegation made in the F.I.R. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, 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 A.D.J.-V-cum- Special Judge, Excise, Darbhanga in connection with University P.S. Case No. 59 of 2019.

(Sudhir Singh, J)

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