

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55278 of 2019

Arising Out of PS. Case No.-592 Year-2018 Thana- NAUTAN District- West Champaran

KHALIFA MAHTO Son of Saral Mahato, Resident of Village - Baikunthwa
Ward No.10 (Nakati Tola), P.S.-Jagdishpur, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nautan (Jagdishpur) P.S. Case No. 592 of 2018, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

There are nine persons named in the FIR, who are said to have assaulted the informant and his family members. Against the petitioner, it is alleged that he had assaulted the informant with bamboo. There is allegation against other co-accused persons of having assaulted the informant with *farsa*.

Learned counsel appearing on behalf of the petitioner has submitted that animosity between the parties is an apparent fact which can be seen from the FIR itself. He has further



submitted that all the injuries, except the injury in the wrist of the informant, have been found to be simple in nature.

Considering the facts and circumstances, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah in Nautan (Jagdishpur) P.S. Case No. 592 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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