

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1667 of 2020

Arising Out of PS. Case No.-161 Year-2017 Thana- BAKHARI District- Begusarai

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ASHOK MAHTO, Son of Ram Kishun Mahto, Resident of Village - Malkua,
Parihar, P.S. - Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, being the brother-in-law of the informant, is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 379 and 506 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Gayatri Devi, submitted before the S.H.O., Parihara O.P. Police Station is to the effect that on 21.06.2017 at about 7.00 A.M. when the informant was alone in her house when the petitioner entered into her house and in the dispute of plucking the mangoes started abusing her. On protest being made, the



petitioner assaulted and snatched a silver chain worth Rs.8000/- from her and when the husband of the informant went to inquire about the incident, he was also assaulted by the petitioner.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled and there is no medical report to corroborate the accusation of assault. Moreover, for the alleged occurrence of 21.06.2017 at 7.00 A.M., the FIR was registered on 22.06.2017 at 12.30 P.M. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner in the FIR.

Considering the relationship between the petitioner and the informant, there being no medical report on record to corroborate the accusation of assault and delayed lodging of the FIR, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 2nd Class, Begusarai, in connection with Bakhri P.S.
Case No.161 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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