

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14532 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

AWADHESH MAHTO S/o- Mahajan Mahto Resident of Village- Dighwa,
P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Gupta
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Akshay Lal Pandit, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Baikunthpur P.S. Case No. 122 of 2019 for the offence punishable under Sections 341, 323, 324, 307, 504 read with section 34 of the Indian Penal Code.

The case of the prosecution in brief is that on the alleged date and time of occurrence while the daughter of the informant was keeping fodder, the petitioner had arrived there and thereafter he started abusing and inflicting *lathi* blow on the head of the daughter of the informant, causing injury on her person.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the injury report would show that the doctor has opined that all the injuries are simple in nature, caused by hard and blunt substance.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and the injuries are stated to have simple in nature, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj, in connection with Baikunthpur P.S. Case No. 122 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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