

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20763 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- BANIAPUR District- Saran

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Jogindra Mahto @ Jogendra Mahto Son of Late Ramkripal Mahto Resident of
Village - Pithari Tawkal Tola, P.S.- Baniyapur, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rajani Kumari Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 02-11-2021 Heard Smt. Rajani Kumari Singh, learned counsel for

the petitioner and Shri Chandra Bhushan Prasad, learned A.P.P. for

the State.

The petitioner is seeking anticipatory bail in connection
with Baniyapur P.S. Case No. 106 of 2019 instituted for the
offences under Sections 147, 149, 447, 341, 323, 324, 302, 354(B),
504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner, at the outset, submits
that the petitioner is a person with clean antecedent and from bare
perusal of the allegation as alleged in the F.I.R. it would manifest
that the petitioner assaulted the daughter of the informant on her
head by means of a *dabia* leading to injury for which she was sent
to Sadar Hospital, Chhapra and then referred to PMCH, Patna for
better treatment.

Learned counsel for the petitioner submits that the
allegation as alleged in the F.I.R. does not get corroborated from



the injury report which has come during the course of investigation as recorded in the case diary. Further, she submits that the injury are not grievous in nature.

Learned A.P.P. for the State after going through the case diary submits that in paragraph '15' it has come that the wounds were lacerated and were inflicted by hard and blunt substance.

Learned counsel for the petitioner submits that the petitioner and the informant are neighbours and on account of trivial dispute, the present occurrence took place.

Considering the fact that the petitioner is a person with clean antecedent and that only one injury has been found which does not get corroborated from the allegation as alleged in the F.I.R., let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Saran at Chhapra in connection with Baniyapur P.S. Case No. 106 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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