

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36474 of 2020

Arising Out of PS. Case No.-149 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Milan Mahto S/O Satto Mahto @ Suresh Mahto Residence of Vill / Mohalla -
Karkauli, P.S. - Sadar (Mabbi O.P) Dist- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr. N. Tiwary, PP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in Sadar
(Mabbi O.P.) P.S. Case No. 149 of 2020 registered under
Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the
Indian Penal Code.

The prosecution allegation, in short, is that the accused
persons assaulted the informant and family members due to
which they sustained injuries.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Due to previous enmity, the whole family has been made accused in the present case. There is allegation of giving a single khanti blow upon the wife of the informant. There is no repetition of blow made by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The specific allegation of assault is alleged against the petitioner that he had given khanti blow on the wife of the informant. The injury report shows that the nature of injury is grievous.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected. If the petitioner surrenders in the Court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order and, if possible, it will be disposed of preferably on the same day.

(Sudhir Singh, J)

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