

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6344 of 2022**

Arising Out of PS. Case No.-196 Year-2021 Thana- SIDHWALIYA District- Gopalganj

SURAJ MAHTO @ SURAJ KUMAR @ SURAJ KUMAR MAHTO S/o
Radhey Shyam Mahot Resident of Village- Parsauni, P.S.- Sidhwalia, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 28-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects
within stipulated period, office will place the matter before the
Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 324, 307,
504, 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he caught
hold of the informant and one Suraj Mahto inflicted knife
blows on his chest, shoulder and back.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The only allegation against the petitioner is that he caught hold of the informant's hand. The specific allegation is against the co-accused Suraj Mahto to have inflicted knife blows on the body of the informant. It is submitted that there is a case and counter-case between the parties and the injuries sustained by the informant are simple in nature. It is further submitted that the prosecution case is highly doubtful, as the F.I.R. for the alleged occurrence has been lodged after a delay of eight days and no plausible explanation for such delay has been given. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below
where the case is pending/Successor Court in connection with
Sidhwalia P.S. Case No.196 of 2021, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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