

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6840 of 2022**

Arising Out of PS. Case No.-293 Year-2021 Thana- PATORI District- Samastipur

MANTOSH KUMAR Son of Vishwanath Rai Resident of Village - Tara  
Dhamaun, Police Station - Patory, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

**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, 447, 307, 302, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with other accused persons have assaulted the informant's side.

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 due to dirty village politics. No such occurrence, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner is the father and the informant is a cousin, so he has been implicated in this case and there is land dispute between the informant and petitioner. The deceased died due to accidental fall from the first floor after consumption of alcohol. It is further submitted that on the alleged date, the petitioner was not present in the village. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let him, 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 Patori P.S. Case No.293 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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