

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16317 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- KHAIRA District- Saran

PARAS MAHTO SON OF LATE KISHORI MAHTO RESIDENT OF
VILLAGE- APHAUR, POLICE STATION- KHAIRA, DISTRICT- SARAN
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2022 Heard learned counsel for the petitioner, the State and
the learned counsel for the informant.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Khaira (Nagra) P.S. Case No.93/2021 instituted under
Sections 147,341,323,324,307,379,504 of the Indian Penal
Code.

As per the allegation in the FIR, all the accused
persons reached the 'Darwaja' of the informant and thereafter it
has been alleged that they started assaulting the family
members. So far as this petitioner is concerned, it is alleged that
he gave sword blow on the head of Hare Ram Singh as a result,
it is started bleeding.

Learned counsel for the petitioner submits that the



injuries have been found to be simple in nature. He further submits that there is a counter version also relating to the same occurrence in which the wife of the petitioner has sustained grievous injury (as stated in para-5 of the bail application).

Learned counsel for the informant has conceded this fact that the injuries found on Hare Ram Singh has been found to be simple in nature.

Taking into account the fact that he is in custody since 05.01.2022 (as stated in para-10 of the bail application) and he has no criminal antecedent, this Court inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Khaira (Nagra) P.S. Case No.93/2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Saran at Chapra, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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