

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18300 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- EKMA District- Saran

JAIRAM MAHTO SON OF BHUKHAL MAHTO R/O VILLAGE-
PHOOCHATI KHURD, P.S.- EKMA, DISTRICT- SARAN AT CHHAPRA
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 326, 307, 386 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, FIR named accused persons No. 1 to 4 have taken the son of informant to Bangalore for construction work. It is further alleged that after 3-4 months when sons of informant demanded wages FIR named accused persons 1 to 4 assaulted the sons of informant. It is alleged that when sons of the informant came to village and made complaint these petitioners and other accused persons assaulted him.

It is submitted that the occurrence took place in Bangalore but neither the FIR nor any complaint was filed in Bangalore. Even after coming to the village no complaint was filed rather it is alleged that they went to their village and when



the entire incidence has been narrated thereupon this petitioner and other assaulted them and lastly after four months a complaint case has been filed on 09.01.2021. As a matter of fact son of the informant had fallen from some height and he received head injuries and he was sent to Trauma Center for treatment. The allegation of assault is general and omnibus. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Ekma PS case No. 42/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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