

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25233 of 2022**

Arising Out of PS. Case No.-71 Year-2021 Thana- AMDABAD District- Katihar

Mantu Rajak @ Goli Rajak Son Of Nawal Kishor Rajak R/O Village- Bairiya,  
Pal Tola, P.S.- Amdabad, District- Katihar, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      03-08-2022                      The present petition is by way of 2<sup>nd</sup> attempt at the behest of the petitioner for grant of bail in connection with S.Tr. No. 286/2021 arising out of Amdabad P.S. Case No. 71 of 2021 for the offence punishable under sections 341, 323, 324, 307, 354, 506 and 34 of the Indian Penal Code inasmuch as the earlier petition of the petitioner for grant of bail was disposed of as not pressed, with liberty to renew the prayer for bail after framing of charge, vide order dated 03.03.2022 passed in Cr. Misc. No. 42846 of 2021.

The accused persons including the petitioner had entered the house of the informant with the intention to assault the brother of the informant, however, when the accused persons were confronted by the wife of the informant, she was assaulted with sword on neck resulting in severe injury being caused to



her.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 01.06.2021. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the accused persons apart from the fact that the petitioner has been sufficiently punished on account of his incarceration. It is also submitted that the petitioner has now approached this Court for grant of regular bail on account of liberty being granted to him to do so after framing of the charge, which has been framed on 20.11.2021. It is also submitted that a bare perusal of the order sheet of the learned trial court would show that after the charges have been framed, the prosecution witnesses are not appearing.

Having regard to the facts and circumstances of the case, taking into account the materials on record as also considering the fact that the petitioner is languishing in custody since 01.06.2021 and now charges have also stood framed on 20.11.2021, this Court deems it fit and proper to grant benefit of doubt to the petitioner for the purposes of grant of regular bail, hence, the petitioner is directed to be enlarged on bail.



Accordingly, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional District Judge-VIII, Katihar in connection with S.Tr. No. 71 of 2021 arising out of Amdabad P.S. Case No. 71 of 2021.

**(Mohit Kumar Shah, J)**

Tiwary/-

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