

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31343 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

AMAR MAHTO Son of - Rohan Mahto Resident of Village - Deoghara
Chandra Tola, P.S. - Mednichowki, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The informant alleges that on 17.09.2021, at 11:00 pm, he was assaulted by the petitioner by knife causing injury on his chest.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the date of occurrence is 17.09.2021 and the FIR has been instituted on 21.09.2021 i.e., after a delay of four days without any plausible explanation, it is next submitted that even from perusal of the injury report (Annexure 2) it would manifest that the injury is simple in nature caused by hard and blunt substance which belies the allegation



of assault by knife.

Learned counsel also throws the attention of the Court to the FIR to submit that the same is based on an application submitted by the informant and his fardbayan was not recorded in the hospital which amply demonstrates that no occurrence as alleged had taken place or even if an occurrence took place, the same was not in a manner as alleged or else the informant would have been admitted to a hospital if he had been assaulted by knife on his chest.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mednichowki P.S. Case No. 116 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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