

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44600 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- ATHMALGOLA District- Patna

1. MITHUN MOCHI Son of Dinesh Mochi @ Dino Mochi Resident of Village - Ganjpar, Usmanpur, P.s.- Athmalgola, Dist.- Patna.
2. Dinesh Mochi @ Dino Mochi Son of Shibu Mochi Resident of Village - Ganjpar, Usmanpur, P.s.- Athmalgola, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the present application as the petitioner No. 1 has been arrested and the same has become infructuous.

It is, thus, dismissed as withdrawn as having become infructuous as against petitioner No. 1.

The petitioner No. 2 apprehends his arrest in



connection with Athmalgola P. S. Case No. 160/2020 registered for the offences punishable under Sections 341/323/307/354/504/34 of the I.P.C.

The petitioner is said to have assaulted the informant Jyoti Kumari. The injury of Jyoti Kumari shows that she has received one lacerated wound which has been found to be simple in nature and the injury no. 2 has been caused by hard and blunt substance and the opinion is reserved.

This application for anticipatory bail is disposed of with a direction that the court below will grant interim bail to the petitioner and call for opinion on injury no. 2 from the authorities. If the injury is found to be grievous, the interim bail bond furnish by the petitioner shall be cancelled and if the injury no. 2 is found to be simple, the interim bail shall be confirmed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, Patna in connection with Athmalgola P.S. Case No. 160/2020, subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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