

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.44522 of 2021**

Arising Out of PS. Case No.-96 Year-2021 Thana- HUSSAINGANJ District- Siwan

KANNHAIYA MAHTO, S/o- Lalji Mahto, Resident of Village- Aranda, P.S.-
M. H. Nagar, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 18-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Yogendra Kumar, learned A.P.P. for the State.

Petitioner, in the present case. is seeking regular bail in connection with Hussainganj P.S. Case No. 96 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code. He is in custody since 07.06.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the allegation against the petitioner is that he assaulted with Farsa on the forehead of the informant's wife as a result of which blood was oozing from her



forehead. The accused persons also snatched gold ornaments from the wife of the informant.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is general and omnibus allegation leveled against the petitioner. Learned counsel submits that the petitioner had given a farsa blow on the head of the wife of the informant but there was no repetition of blow.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that as per the prosecution story, this petitioner had given a farsa blow on the head of the wife of the informant but there was no repetition of blow and the petitioner who has otherwise no criminal antecedent has remained in custody in connection with this case since 07.06.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Hussainganj P.S. Case No. 96 of 2021, subject to the condition as laid down



under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

