

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37441 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- KUDHNI District- Muzaffarpur

1. AJAY MAHTO @ ANAP MAHTO Son of Napu Mahto @ Nathu Mahto Resident of Village - Mohanpur, P.S. - Kudhni (Turki O.P.), District - Muzaffarpur.
2. Birendra Mahto @ Balendra Mahto @ Balinder Mahto Son of Napu Mahto @ Nathu Mahto Resident of Village - Mohanpur, P.S. - Kudhni (Turki O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan
For the Opposite Party/s : Mr.Umeshanand Pandit,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per F.I.R., petitioner no. 1 is order-giver and petitioner no. 2 is alleged to have assaulted alongwith other co-accused persons with iron rod, as a result of which, informant sustained head injury.

It is submitted on behalf of petitioners that F.I.R. has been lodged after a delay of 16 days without any plausible explanation, which creates doubt over the prosecution case. Though, there is allegation of assault, but there is no injury report on record. Petitioners have got clean antecedent.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Muzaffarpur (West) in connection with Kudhni (Turki O.P.) P.S. Case No. 379 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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