

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38454 of 2022

Arising Out of PS. Case No.-353 Year-2022 Thana- LAKHISARAI District- Lakhisarai

MAHENDRA MAHTO Son of Late Bado Mahto Resident of Village -
Bartara, P.S.- Ramgarh Chowk, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mayank Bilochan, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-11-2022 Heard both sides.

Vide order dated 15.11.2022, Dr. Randhir Kumar, Medical Officer, Ramgarh, PHC, Lakhisarai was directed to remain physically present in Court on the next date of hearing.

Dr. Randhir Kumar, Medical Officer, Ramgarh, PHC, Lakhisarai is present in Court. He produced some papers including the x-ray report of the chest.

The petitioner apprehends his arrest in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No.353 of 2022, registered for the offences punishable under Sections 447, 341, 323, 379, 307, 504, 506 and 34 of the Indian Penal Code.

The petitioner is said to have assaulted the father of the informant by means of *Noma Khanti* causing injury in his head.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is submitted that there is general and omnibus allegation against the petitioner. It is further submitted that earlier Dr. Randhir Kumar, Medical Officer, Ramgarh, PHC, Lakhisarai has examined the injured persons and in his report he has stated that the injuries are simple in nature. Later on, on 14.05.2022, the opinion of the injury sustained by the father of the informant was kept reserved as the another doctor has sent the injured person to Sadar Hospital, Lakhisarai. It is submitted that there is fracture injury in the 7th and 8th ribs. Learned counsel for the petitioner submits that the injury report does not support the prosecution case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No.353 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The personal appearance of Dr. Randhir Kumar, Medical Officer, Ramgarh, PHC, Lakhisarai is dispensed with.

(Anjani Kumar Sharan, J)

Sanjay/-

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