

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39873 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- MAHESI District- East Champaran

Lal Babu Mahto S/O Rambriksh Mahto Resident of Village- Dagrahan, Ward
No.- 08, P.S.- Mehshi, (Jai Bajrang Chauk O.P). District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence while the informant was at his door, all of a sudden the FIR named accused persons including petitioner reached there with procession and playing filthy songs through DJ. When informant protested, all the accused persons started assaulting the informant with lathi, danda and Farsa as a result of which informant fell down on the ground and became unconscious. When informant's wife Indu Devi, Munni Devi, Rinku Devi, Basmati Devi and Mokhtar Mahto came to save the



informant, all the accused persons assaulted them. Other family members of informant were also assaulted by the accused persons.

It is submitted that allegation of assault is general and omnibus. Scuffle took place between the parties over the issue of playing filthy song through DJ. There is case and counter case. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Motihari, East Champaran in connection with Maheshi P.S. Case No. 73 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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