

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47177 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- MUSRIGHRARI District- Samastipur

AKHILESH MAHATO @ GUDDU Son of Late Basant Mahto Resident of
Village - barbatta Salempur, P.S.- Musrigharari, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 307/34 and other
ancillary sections of the Indian Penal Code.

Prosecution case is that the petitioner assaulted the
informant with iron rod causing injury on the head.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case and the present case is counter blast of Musrigharari Police
Station Case No. 58 of 2022. Case and counter case and both
sides sustained injuries. It is further submitted that there is
delay in lodging of the FIR and there is no plausible
explanation of delay which itself creates doubt over the
prosecution case. Petitioner has got no criminal antecedent.



Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above 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 Sub Divisional Judicial Magistrate, Samastipur in Musrigharari Police Station Case No. 61 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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