

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50103 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- CHANDRAMANDI District- Jamui

SHAMBHU MAHTO S/O LATE GIRDHARI MAHTO Resident of Village-
Akhane, P.S.- Chandramandih, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mala Sinha, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove the
defects within four weeks.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 147, 447, 341, 323, 324, 307 and 504 of
IPC.

Allegedly, the accused persons named in F.I.R. including
the petitioner abused the informant's father. Petitioner is said to
have given spade blow to the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case due to previous enmity. No
such occurrence, in the manner as alleged, has ever taken place.
Petitioner is ailing person aged about 84 years. The allegation



against the petitioner is that he gave a blow of spade on the informant's father. It is alleged in the FIR that after spade blow by the petitioner, other co-accused assaulted informant's father alternately but doctor who examined the injury of informant's father found only one injury of swelling on the back of head followed with body-ache and on the basis of C.T. Scan and supplementary injury report, the injury is grievous. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chandramandih P.S. Case No.162 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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