

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4367 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- GHORASAHAN District- East
Champaran

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SHAMBHU PRASAD @ SHAMBHU MAHTO S/O PRITAM MAHTO R/V-
CHHITRAULI, P.S.- GHORASAHAN, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-04-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Ghorasahan P.S. Case No. 199 of 2022, registered for the
offences punishable under Sections 341, 323, 504, 447, 379,
307, 324/34 of the Indian Penal Code.

The specific allegation against the petitioner is that he
assaulted the informant on his head with iron rod.

The learned counsel for the petitioner has submitted
that the petitioner has falsely been implicated in this case. The
allegation against him is falsified by the impugned order itself,
which shows that the informant did not receive any injury on his
head. He received injuries only on his hand. The petitioner is a



person of clean antecedent and is under custody since 25.11.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari East Champaran in connection with Ghorasahan P.S. Case No. 199 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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