

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18898 of 2023**

Arising Out of PS. Case No.-235 Year-2022 Thana- BALIYA District- Begusarai

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SRIRAM MAHTO @ SHRIRAM MAHTO SON OF SRILAL MAHTO R/O
VILLAGE- MIRZAPUR DIH, P.S.- BALIA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 14-06-2023 Heard Mr. Ram Sumiran Rai, learned counsel

 appearing on behalf of the petitioner and Mr. Dr. Ajeet

 Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Balia P.S. Case No. 235 of 2022, dated 27.08.2022, registered under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner submits that informant is agnate of the petitioner and there is inimical term with each other. There is admitted land dispute between the parties and without any intention in self-defence the petitioner has caused injury on the body



of the informant. He further submits that injury is simple in nature. Learned counsel further inform that one criminal case is pending against the petitioner in which he is on bail.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

5. Considering the nature of allegation made in the F.I.R. as well as the fact that there is admitted land dispute between the parties, the injury is simple in nature and the same has been caused in self-defence without any intention, 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 four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Balia P.S. Case No. 235 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has



been stated in paragraph no. 3 of the bail application, this
order will automatically loose its force.

(Purnendu Singh, J)

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