

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11799 of 2023

Arising Out of PS. Case No.-264 Year-2021 Thana- MAJHAULIA District- West Champaran

LALAN MAHTO Son of Vishnath Mahto R/V- Parsa, P.S- Manjhauli, Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Majhaulia P.S. Case No.264 of 2021, registered for the offence punishable under Sections 447, 341, 323, 325, 307, 354B, 504 and 506 of the Indian Penal Code.

The allegation against the petitioner is that he assaulted the informant over his head due to which he sustained injury.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. There is an admitted land dispute between the parties.



Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner to assault the informant by means of *farsa*. He further submits that one of the injury has been found to be grievous in nature.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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