

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14334 of 2023

Arising Out of PS. Case No.-582 Year-2022 Thana- BIDUPUR District- Vaishali

RAJU MAHTO Son of Kailash Mahto R/v- Mayil @ Mali, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 324, 307, 354, 379, 504
and 506/34 of the IPC.

Allegedly, all the accused persons including the petitioner
assaulted the informant by means of lathi, danda and when her
brother-in-law came to save, petitioner inflicted knife blow on
his neck.

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 ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. It is submitted that the alleged date of occurrence is



18.10.2022 but the F.I.R. was lodged on 02.11.2022 i.e. after delay of 14 days, without giving any plausible explanation, which creates doubt about the prosecution case. It is submitted that the injury sustained by the brother-in-law of the petitioner was found simple in nature. 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, considering the delay in lodging the F.I.R. 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 Bidupur P.S. Case No.582 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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