

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13937 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

MANTOSH KUMAR @ MANTOSH RAM S/O DAULAT RAM Resident of
Village- Dakshi, Ekauna, P.S.- Udwantnagar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar,Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Udwantnagar P.S. Case No.493 of 2022, registered for the offences punishable under Sections 341, 323, 353, 307 and 34 of the Indian Penal Code.

The allegation is regarding the informant having left his house in the morning of 16.10.2022 for distributing mails and when he reached the alleged place of occurrence, he found that the petitioner and other co-accused persons had parked their bikes in the mid of public path-way,



whereupon he had requested them to remove the bikes, however, the accused persons including the petitioner herein started assaulting the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the petitioner and as far as the injuries are concerned, they have been found to be simple in nature, as has been stated in paragraph no.9 of the present petition.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been



levelled qua the petitioner and other co-accused persons, apart from the fact that it is the categorical averment of the petitioner that the injuries sustained by the informant have been found to be simple in nature, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of six 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwanthnagar P.S. Case No.493 of 2022 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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