

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16859 of 2023**

Arising Out of PS. Case No.-217 Year-2021 Thana- GOGRI District- Khagaria

Ajit Mahto @ Ajit Kumar S/O-Naresh Mahto Village- Chandpur Ps- Gogri
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 25-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Gogri P.S. Case No. 217 of 2021 registered for the offence punishable under Sections 341, 342, 323, 307, 326, 504 and 506/34 of the Indian Penal Code.

As per prosecution case, the informant was assaulted by the petitioner along with 8 to 10 unknown persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Injury caused to the informant has been found to be simple in nature. There is no specific allegation against the petitioner. Co-accused, namely, Niraj Kumar has been allowed regular bail vide order dated 17.05.2022 passed in Cr. Misc. No. 16197 of



2022, (Annexure-2). The petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, clean antecedent as also the fact that no specific allegation has been levelled against the petitioner, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria, in connection with Gogri P.S. Case No. 217 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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