

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19111 of 2023

Arising Out of PS. Case No.-25 Year-2022 Thana- KARJA District- Muzaffarpur

Surendra Mahto Son Of Ram Pravesh Mahto Resident Of Village -
Nijamuddin Kodariya Rautaniya, P.S.- Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 19-05-2023 The applicant/accused in Crime No.25 of 2022 registered with Karja Police Station for the offences punishable under Sections 447/307/341/323/504 read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial after filing of the charge sheet.

2. Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

3. The crime in question is registered on the basis of FIR lodged by Mithilesh Mahto. He averred that the present applicant along with eight other persons had assaulted him by which head injury was caused to him.

4. It is reported by the learned counsel for the applicant that now charge sheet has been filed and First



Informant Mithilesh Mahto is not taking any medical treatment as he is discharged from the hospital long back.

5. In this view of the matter, there is no possibility of offence being traveled to one punishable under Section 302 of the Indian Penal Code. Investigation of the subject crime is over. The applicant is not having any criminal antecedent. Hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No.25 of 2022 registered with Karja Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) and on furnishing two sureties of the like amount each to the satisfaction Ms. Soumya, Judicial Magistrate, 1st Class (West), Muzaffarpur, with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this



case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(A. M. Badar, J)

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