

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22124 of 2022

Arising Out of PS. Case No.-420 Year-2020 Thana- MANER District- Patna

Birju Mahto @ Birju Kumar Son of Upendar Mahto Resident of Village -
Hathi Tola, Police Station - Maner, District - Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Maner P.S. Case No. 420 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioner is that he has assaulted the informant with Bhala due to which the informant sustained injury.

4. Learned counsel for the petitioner submits that petitioner is innocent, committed no offence and has falsely been implicated in this case. There is case and counter case between the parties in which both the parties sustained injuries. There is no injury report of the informant which shows that no



injury has been caused to the informant. Petitioner has no criminal antecedent. He further submits that similarly situated co-accused, namely, Punarwasi Mahto @ Punawasi Kumar has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 11.10.2022 in Criminal Miscellaneous No. 25281 of 2022.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st, Danapur in connection with Maner P.S. Case No. 420 of 2020 subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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