

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34130 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

MONTY ROY @ MONTI ROY SON OF BHOLA ROY @ BHOLA
PASWAN R/O - RAILWAY COLONY, P.S.- MOJAHIDPUR, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-10-2023 Heard Mr. Harsh Singh, learned counsel for the petitioner

and Mr. Dilip Kumar No.1, learned APP for the State.

2. A counter-affidavit is filed on behalf of the State in the
Court. Let it be kept on record.

3. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 447, 341, 323, 308, 384, 385, 427,
34 of the IPC.

4. Allegation against the petitioner is of assaulting the
informant with the butt of pistol.

5. 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. No such occurrence, in
the manner as alleged, has ever taken place. Though there is



allegation that petitioner assaulted the informant but the injury report enclosed in the counter-affidavit suggests that the injury was found simple in nature. Petitioner has one criminal antecedent.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, since the injury was found simple in nature, 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 Mojahidpur P.S. Case No.263/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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