

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38751 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- DANDARI District- Begusarai

Viyash Nandan Mahto @ Bijli Mahto @ Byashnand Mahto, Son of Late
Raghunandan Mahto Resident of village - Balha, ward no. 09, P.s. - Dandari,
distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dandari P.S. Case No. 43 of 2022 lodged on 17.05.2022 under
Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal
Code.

3. As per the prosecution case, the allegation against
the petitioner is that he assaulted the informant with lathi, as a
result of which bleeding started.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The First
Information Report itself reflects that the petitioner allegedly
assaulted the uncle of the informant with an iron rod, but there



is no allegation of repeating the blow. Moreover, for the occurrence of 15.05.2022, the FIR has been lodged on 18.05.2022. Learned counsel for the petitioner further submits that in fact, it is the informant's side who have attacked on the petitioner's side for which Complaint Case No. 833 of 2022 has been filed by the petitioner's side on 16.05.2023. The petitioner is in custody since 17.03.2023 having clean antecedent and the chargesheet has already been submitted.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Begusarai, in connection with Dandari P.S. Case No. 43 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J)

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