

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41015 of 2023**

Arising Out of PS. Case No.-29 Year-2023 Thana- BANIAPUR District- Saran

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Rohan Mahto @ Rohan Kumar Mahto S/O Narad Mahto R/O Village- Beruni  
Nonia Toli, Ps. Baniapur, Dist. Saran. ... .. Petitioner/S

Versus

The State Of Bihar. ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anjani Parashar, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      28-07-2023                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 7 named accused persons, including the present petitioner. According to the FIR, the specific allegation against the petitioner is that he assaulted the informant with sword due to which the informant got injuries on his neck and on the right side of his neck.

4. It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He further submits that for the same date, place and time of occurrence there were two FIRs lodged, one from the informant's side namely Baniapur P.S. Case No. 29 of 2023 and another from the petitioner's side namely Baniapur P.S. Case

No. 26 of 2023. Counsel submits that both the parties are well known to each other. He also submits that antecedent of the petitioner is clean but due to political rivalry the scuffling and injuries took place to both the sides.

5. Counsel for the petitioner submits that one accused namely Lakhan Mahto has been granted bail by the Co-ordinate Bench of this Court vide order dated 24.06.2023 in Cr. Misc. No.34694 of 2023.

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

7. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Baniapur P.S. Case No. 29 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dr. Anshuman, J.)**

Ashishsingh/-

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