

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39629 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

MANISH KUMAR @ PRADEEP MAHTO Son of Late Shambhu Mahto
Resident of ward no. 43, Mohalla - Shahgunj Benta, Benta Chowk, P.s. -
Laheria Sarai, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen
For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 448, 341, 323, 354B, 308, 379, 427, 504, 506/34 of the Indian Penal Code.

3. Allegedly, the petitioner went to the house of the informant in inebriated condition and abused her and also threatened him. On protest, the petitioner tried to outrage her modesty. It is alleged that the petitioner assaulted the minor grandson of the informant due to which he got injured.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He



submits that there is a case and counter-case between the parties. He submits that informant was admit in D.M.C.H., Darbhanga, for her surgery on 05.02.2023 and was discharged on 09.02.2023 but in the FIR, she has alleged that the present occurrence took place in the midnight of 06.02.2023, which shows the falsity of the present case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 Laheria Sarai P.S. Case No.58 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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