

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43430 of 2023**

Arising Out of PS. Case No.-265 Year-2022 Thana- WARISNAGAR District- Samastipur

Naveen Mahato @ Naveen Mahto @ Navin Kumar Mahto @ Navin Mahto
Son of Ram Shital Mahto Resident of Village - Daulatpur, P.S.- Warisnagar
(Mathurapur O.P.), Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s :	Mr.Binod Kumar Sinha, Advocate Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party/s :	Mr.Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Warisnagar P.S. Case No. 265 of 2022 dated 22.08.2022 registered for the offences punishable u/ss 341, 323, 324, 307, 147, 447, 354, 504, 506, 379 of the Indian Penal Code.

4. As per the prosecution case, when the informant was sitting at his door then the petitioner and the co-accused persons came and abused him. On being objected, the petitioner



gave blow of farsa on the informant causing head injury.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no repetition of blow. No offence under Section 307 of the Indian Penal Code is made out against the petitioner. The co-accused person has already granted anticipatory bail by the Coordinate Bench of this court vide order dated 29.03.2023 passed in Cr. Misc. No. 70346 of 2022. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the injured sustained stitch wound on right side of head which is said to be grievous in nature.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Warisnagar P.S. Case



No. 265 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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