

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46077 of 2023

Arising Out of PS. Case No.-483 Year-2022 Thana- SULTANGANJ District- Patna

Chandan Kumar @ Chandan Mahto @ Chandan Mehta Son of Late Krishna
Dev Prasad @ Krishna Dev Mehta R/o Chai Tola Tikiya Toli, Police Station-
Sultanganj, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 483 of 2022, registered on 27.12.2022, for the alleged offence under Sections 447, 341, 323, 324, 307/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons assaulted the informant with sharp edged weapon, causing injuries to the bone and leg of the brother of the informant

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The informant is not an eye witness to the occurrence and



has lodged the case on the basis of hearsay. There is no specific allegation of any overt act against the petitioner. Learned counsel further submits that no motive or reason has been given for the alleged occurrence and, if four persons assaulted the brother of the informant without any intervening circumstances, nothing could have prevented them from causing death of the brother of the informant if it were their intention. The co-accused Pappu Mahto has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 23.05.2023 passed in Criminal Misc. No. 19634 of 2023, in which, it has been mentioned that no sharp cut injuries were found on the person of the brother of the informant, though the injuries are stated to be grievous, but it is not on the vital part. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the case against the petitioner is on the basis of suspicion of the informant and no corresponding injury as alleged in the FIR has been found, let the petitioner, above named, in the event of his arrest or surrender before the court



concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City/concerned court in connection with Sultanganj P.S. Case No. 483 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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