

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55110 of 2023

Arising Out of PS. Case No.-817 Year-2019 Thana- KANTI District- Muzaffarpur

Subodh Kumar Son Of Ramdeo Mahto @ Ram Deo Mahto Resident Of
Village - Damodarpur, P.S. - Kanti, P.O. - Damodarpur, District - Muzaffarpur
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitin Kumar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-08-2023 Heard the learned counsel for the petitioner and

the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kanti P. S. Case No. 817 of 2019, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 337, 354, 504 and 34 of the Indian Penal Code.

3. As per allegation, on 03.11.2019 at about 12.00 P.M., when the informant was standing at her door, the petitioner along with his associates came there and assaulted her and her family members, due to which they sustained injuries. Allegation of snatching golden chain from



the neck of the informant's daughter is also there.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits there is no specific allegation against the present petitioner. Though there is direct allegation of assault against other co-accused but not against the present petitioner. Even there is no injury report in this case as is apparent from the order of the Ld. Additional District and Sessions Judge.

5. It is also stated in paragraph no. 2 of the petition that no similar petition has been earlier filed by the petitioner before this Court.

6. It has further been stated that the petitioner has no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from



the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. S.D.J.M., West-IV, Muzaffarpur, Bihar, in connection with Kanti P. S. Case No. 817 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The application stands allowed accordingly.

10. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office



within a period of one month and the Registry is directed to
issue the certified copy of this order only after removal of
office objections.

(Jitendra Kumar, J)

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