

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54529 of 2023

Arising Out of PS. Case No.-64 Year-2017 Thana- DULHIN BAZAR District- Patna

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ASHUTOSH MAHTO @ ASHUTOSH PRASAD S/O - LATE JANARDAN
MAHTO @ JANARDAN PRASAD RESIDENT OF VILLAGE - LALA
BHADSARA, P.S. - DULHIN BAZAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar , Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 148 , 149, 341 , 323,
324, 325, 326, 307, 379, 504 and 506 of the Indian Penal Code.

3. It is alleged that all the F.IR named accused persons
including this petitioner assaulted on the head of the informant
by means of lathi in which he sustained injury . It is further
alleged that accused persons also assaulted the family members
of the informant.

4. It is submitted that allegation of assault is general
and omnibus and no specific overt act is alleged against him.
Specific allegation of assault is against other co-accused



persons. Doctor has found simple injury. Similarly situated co-accused persons have already granted bail by this Court vide order dated 07.07.2023 in Cr. Misc. No. 25753 of 2023 .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned J . M. 1st Class, Danapur, Patna in connection with Dulhin Bazar P.S. case no. 64 of 2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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