

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 58412 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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Ram Pravesh Mahto S/O Deolal Mahto R/O Village- South Hussaini, P.S.-
Dumariya Ghat, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Binay Kumar, Advocate
For the Opposite Party/s : Mr Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2 The petitioner apprehends his arrest in connection
with Dumariyaghat PS Case No 137 of 2022 instituted under
Sections 341, 323, 324, 325, 447, 307, 354, 354B, 379, 504,
506/34 of Indian Penal Code.

3 As per the prosecution case, allegation against the
petitioner is that he inflicted *farsa* blow on the head of the
informant.

4 Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The injury sustained by the informant is simple in nature.
The alleged occurrence took place on 26.06.2022. However, the



FIR was registered on 10.07.2022 without any reasonable cause. The informant side was aggressor who assaulted the petitioner and his family member on the date of occurrence for which the petitioner has lodged the FIR against the informant and others. The petitioner has no criminal antecedent.

5 Learned APP opposes the prayer for anticipatory bail.

6 Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, East Champaran at Motihari in connection with Dumariyaghat PS Case No 137 of 2022 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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