

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59734 of 2023

Arising Out of PS. Case No.-178 Year-2022 Thana- SHANKARPUR District- Madhepura

Brahmdeo Mehta Son Of Bhumi Mehta Village - Raybhir (ARTAHA) Ward
No 03, Ps- Shankarpur, Dist- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Shankarpur P.S. Case No. 178 of 2022 dated 16.10.2022 registered for the offences punishable under Sections 341, 323, 325, 307, 379 and 504 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons holding *lathi*, *danda* and iron rod started assaulting father-in-law of the informant. The petitioner also



assaulted on the head of the informant's father-in-law. In the meantime, the co-accused Khattar Mahto snatched Rs. 3,000/- and golden chain from the informant's father-in-law. Thereafter, the co-accused Nitish Kumar took away the motorcycle of the informant's father-in-law and fled away.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is case and counter case between the parties. There is general and omnibus allegation against the petitioner. The injury is simple in nature. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that there is specific allegation against the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhepura in connection with Shankarpur P.S. Case No. 178 of



2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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