

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63625 of 2023**

Arising Out of PS. Case No.-321 Year-2023 Thana- KRITYANAND NAGAR District-  
Purnia

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Suman Mahto @ Palta Mahto @ Suman Kumar Mahto, Son of Sri Surya Narayan Mahto, Residents Of Village Satkudariya Ward No 10 P.S.- K. Nagar (Maranga) District Purnia

... .. Petitioner

Versus

The State Of Bihar.

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      17-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with K. Nagar (Maranga) P.S. Case No. 321 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307 and 504 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the brother of the informant with a bamboo made *Mungri* due to which he sustained injury on his head and blood started oozing out.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that even though there is an



allegation that this petitioner had assaulted the brother of the informant, the injury caused is simple in nature and the petitioner has otherwise no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that even though there is an allegation that this petitioner had assaulted the brother of the informant, the injury caused is simple in nature and the petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with K. Nagar (Maranga) P.S. Case No. 321 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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