

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60903 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- RAJNAGAR District- Madhubani

Ram Dular Mahto S/O Late Anup Mahto R/O Village- Simri Jathi, Ward No. 7, P.S.- Rajnagar, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-02-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Rajnagar P.S. Case No. 68 of 2022 lodged under Sections 341, 323, 324, 308, 379, 509, 506, 504, 34 of the I.P.C.

As per the prosecution case, specific allegation against that petitioner is that he had given the order and upon his order, his son Nitish Kumar attacked on the informant by *farsa* and subsequently, the allegation made against the petitioner is that he indiscriminately assaulted on the entire body of the informant, by iron road.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 30.07.2022 having clean antecedent. Counsel for the petitioner submits that from the content of the F.I.R. it transpires that both the petitioner and the informant are full brothers and only due to petty issue the dispute has arisen.

Upon specific query that whether charge has been framed or not, he is not aware of the fact that whether charge has been framed or not in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is a specific allegation of assault against the petitioner and as per the F.I.R., injuries on the head of the informant are there as it transpires from the order passed by the Sessions Judge.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

With this observation, the bail application stands rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail

afterthat, imposing its own conditions, so that he may not evade
his appearance during trial.

(Dr. Anshuman, J.)

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