

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64418 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- BAIRIYA District- West Champaran

Mahavir Kumar S/O Uma Chaudhary R/O Village- Bagahi Lomaeia Tola,
Ward No. 15, P.S- Bairiya, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s :Ms/Mrs. Indu Kumari Srivastava, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/379/34 and other allied sections of the Indian Penal Code.

3. As per the prosecution case, allegation against this petitioner is of assault by farsa on the head of mother-in-law of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Doctor has found simple injury. F.I.R. has been lodged after inordinate delay of eight days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of



arrest/surrender within six weeks from today, let the petitioner, mentioned 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 Additional Chief Judicial Magistrate III, Bettiah, West Champaran in Bairiya Police Station Case No. 40 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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