

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72018 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- JAYNAGAR District- Madhubani

1. Sanjay Kumar Mahra @ Sanjay Mahra Son of Uttim Lal Mahra R/O Village - Kamlavari, P.S.- Jaynagar, District - Madhubani
2. Umesh Mahra Son of Uttim Lal Mahra R/O Village - Kamlavari, P.S.- Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-04-2023 At the outset, learned counsel for petitioners seeks permission to withdraw this anticipatory bail application with respect to Sanjay Kumar Mahra @ Sanjay Mahra petitioner no. 1, as during pendency of this case, petitioner no. 1 has already been arrested.

Prayer is allowed. The anticipatory bail application with respect to petitioner no. 1 is dismissed as withdrawn having become infructuous.

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

The petitioner no. 2 apprehends his arrest in a case registered for the offences punishable under Sections 307, 379



and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, this petitioner along with other co-accused persons assaulted the informant.

It is submitted that specific accusation of assault is against co-accused Sanjay Kumar Mahra @ Sanjay Mahra. So far as this petitioner is concerned, allegation of commission of assault is general and omnibus. There is case and counter case. Both sides sustained injuries.

Considering the facts aforesaid, Umesh Mahra petitioner no. 2, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Madhubani in connection with Jaynagar P.S. Case No. 160 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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