

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4992 of 2023

Arising Out of PS. Case No.-288 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

MANISH KUMAR MAHTHA @ KANTU MAHTHA Son of Late Ram Udar
Mahtha R/o Gudri Bazar, Laheriasarai, P.S. Laheriasarai, District- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur, Adv.

For the Opposite Party/s : Mrs.Dr. Indiwari Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-06-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 354, 504, 506/34 of the Indian Penal Code.

As per the FIR, it is alleged that petitioner broke the lock of almirah of the informant's mother-in-law and started removing the articles from almirah. On objection, petitioner started abusing and assaulting her with fists, slaps and *Khanti*. He also tried to outrage her modesty and when her husband and mother-in-law came forward to save her, they were also assaulted.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is case and counter case between the parties and there is no specific overt against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Laheriasarai P.S. Case No. 288 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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