

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7742 of 2024

Arising Out of PS. Case No.-396 Year-2021 Thana- MANJHI District- Saran

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SANJAY MAHTO S/O BUTAI MAHTO R/O VILLAGE- MAHMADPUR
KE MATHIA, P.S- MANJHI, DISTT.- SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Singh, Adv

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 18-10-2024 Heard Mr. Nawal Singh, learned counsel for the petitioner

as well as Mr. Dilip Kumar No.1, learned APP for the State.

2. In compliance of the order dated 20.09.2024, the doctor namely, Dr. Niraj Kumar, who has made the injury report is physically present in the Court to explain in what circumstances he has written in the injury report that the injury is grievous but it seems simple in nature.

3. He gave his detailed reply regarding the same and accordingly, his personal appearance is hereby dispensed off.

4. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 354B, 34 of the Indian Penal Code.

5. As per the FIR, the petitioner assaulted the informant on her head with an intention to kill her due to which she sustained head injury.



6. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. It is further submitted that the injury is of simple nature. Petitioner has no criminal antecedent.

7. Learned APP for the State opposed the prayer for anticipatory bail.

8. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her 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 Manjhi P.S. Case No.396 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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