

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16913 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- SARAI RANJAN District- Samastipur

Niraj Kumar @ Niraj Kumar Mahto, Male, aged about 32 Years, Son of Ram Bilash Mahto, Resident of Village- Musapur, P.S- Ghatho, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-04-2024 Heard Mr. Mritunjay Kumar, learned counsel appearing on behalf of the petitioner and Mr. Uday Chand Prasad, learned APP for the State.

2. Petitioner, who is in custody since 13.10.2023, seeks regular bail in connection with Sarairanjan P.S. Case No. 66 of 2022 registered for offences punishable under Sections 341, 323, 147, 149, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, about 22 persons including the petitioner, had brutally assaulted the informant causing injury to him.

4. Learned counsel appearing on behalf of the petitioner submitted that anticipatory bail of the petitioner was



dismissed on the ground that it is the petitioner, who had assaulted the informant, which caused grievous injury on left hand and leg of the informant. Injury report reveals that both the injuries are grievous in nature, however, not on the vital part of the body. The parties are having previous enmity. Petitioner is in custody since 13.10.2023. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, the fact that petitioner is in custody since 13.10.2023 and the injury report reveals that the injuries are not on the vital part of the body and charge-sheet has already been submitted, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Samastipur, in connection with Sarairanjan P.S. Case No. 66 of 2022 subject to the condition that petitioner will file his personal affidavit to the extent that he will not indulge in any criminal activity in future and following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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