

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23373 of 2024

Arising Out of PS. Case No.-360 Year-2022 Thana- MANJHAGARH District- Gopalganj

Surenbra Mahto @ Surenbra Kumar Mahto Son Of Chandarma Mahto R/O-
Bathua, P.S.- Manjhagrah, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Manjhagrah P.S. Case No. 360 of 2022, lodged on 17.11.2022,
under Sections 341, 323, 324, 325, 307, 354, 504, 506/34 of the
I.P.C. and later on added Section 302 of the I.P.C.

3. As per the prosecution case, the FIR has been
lodged against six named accused persons including the present
petitioner. The specific allegation of assault against the
petitioner is upon the deceased that he has made farsa blow on
the head of the deceased, who was brutally injured and admitted
to the hospital.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that there was five days' delay in filing the FIR. He submits that antecedent of the petitioner is clean and he is in custody since 08.04.2023. He also submits that other two co-accused persons having almost similar allegation were granted bail by this Court vide order dated 07.11.2023 passed in Cr. Misc. No. 70888 of 2023. He submits that injuries reported do not support the allegation and offence under Section 302 of the Indian Penal Code was added to the case after about two months.

5. Learned counsel for the State opposes the prayer for bail and submits that against the present petitioner there is a direct allegation that he has made farsa blow on the head due to which injury caused and during treatment the injured died.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J.)

Aman Kumar/-

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