

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20631 of 2024

Arising Out of PS. Case No.-273 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Bharat Mahto (Male), aged about 28 years, Son of Lakhan Mahto, Resident of
Village- Hirni, P.S. -Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Dr. Abdus Shakoor, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-04-2024 Heard Dr. Abdus Shakoor, learned counsel

appearing on behalf of the petitioner and Mr. Khurshid Anwar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kusheshwar Asthan P.S. Case No. 273 of 2022 registered
for the offence punishable under Sections 341, 324 and 307 of
the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons named therein including the petitioner, had
assaulted the son of the informant with a common intention to
kill him, due to which, he had sustained injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and have falsely



been implicated in the present case. As per the opinion of the doctor, injuries sustained by the son of the informant are simple in nature and not on the vital part of the body. There is case and counter case between the parties. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner and as per the opinion of the doctor, injuries sustained by the son of the informant are simple in nature and are not on the vital part of the body. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four 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 learned ACJM, Biroul, Darbhanga, in connection with Kusheshwar Asthan P.S. Case No. 273 of 2022, subject to the condition as laid down under Section 438(2) of



the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

