

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38842 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

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Baiju Kumar Nishad @ Baiju Nath Mahto Son of Kariman Mahto @ Birbal
Prasad Resident of Village- Barauli, P.S- Ara Muffasil, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 307, 379, 504, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons assaulted the family members of the informant brutally with deadly weapons due to which they sustained several injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place. Both the parties belong to same village and the petitioner has been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. Though there is allegation against the petitioner to assault one Gita Kumari by means of iron rod on her head, but as per the injury report, the injury was found simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the nature of the injury, 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 Ara Mufasil P.S. Case No. 531 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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