

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43975 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- GORAUL District- Vaishali

Nandan Mahto S/o Ram Gulam Mahto R/o Village-Ramdaspur,P.S.- goraul,
Dist.-Vaishali(Hajipur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner apprehends arrest in Goraul P.S.
Case No. 111 of 2023, registered under Sections 341, 323, 324,
307, 302, 325, 504 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the
petitioners along with other co-accused persons entered the
house of the informant and started abusing him. They also
assaulted the informant and his family members by means of
deadly weapons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. It is also submitted



that the petitioner is close agnate of the informant. Due to previous land dispute the petitioner has been made accused in this case. The petitioner has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State has further submitted that there is specific allegation against the petitioner of giving iron rod blow on the head of the father of the informant. The petitioner also assaulted the informant and other family members by means of lathi-danda and iron rod. Hence, serious allegation is against the petitioner and he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances and the seriousness of allegation, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below within a period of six weeks and pray for regular bail. If such an application is filed, the same shall be disposed by the Court below without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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