

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51313 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- UJIYARPUR District- Samastipur

MAHENDRA KUMAR @ MAHENDRA MAHTO @ MAHENDRA
KUMAR SINGH Son of Nathuni Mahto @ Nathuni Singh Resident of ward
no. 10, vill - Raipur Khanua, P.S. - Ujiyarpur, Distt. - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.
Mr.Kundan Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 27-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Ujiyarpur P.S. Case No.164 of 2023, registered for the offence
punishable u/s 147, 149, 341, 323, 308, 504 and 506 of the IPC.

3. Allegedly, the F.I.R. named accused persons including the
petitioner, abused and assaulted the family members of the
informant and his cow. Petitioner is alleged to have assaulted the
father of the informant with farsa on his head.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever



taken place. Parties are agnates and there is a land dispute between them. For the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injury. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner to assault the father of the informant, whose injury was found grievous in nature.

6. Considering the aforesaid facts and circumstances and the nature of injury inflicted by the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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