

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74090 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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MRITUNJAY KUMAR Son of Ramjapo Mahto @ Rakesh Kumar R/o vill -
Rajakpur, ward no 12, P.S. - Nawkoti, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-03-2024 Heard Mr. Sandip Kumar Gautam, learned Counsel
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nawkothi P.S. Case No. 127 of 2022 for the offence registered under sections 341, 323, 324, 307, 384, 385, 354(B), 504, 506 and 34 of the Indian Penal Code lodged on 01.09.2022 by the informant, Raghunandan Mahto.

3. As per the prosecution story, the informant has alleged that on the fateful day when he was in his house, the accused persons came armed variously, demanded '*rangdari*' and thereafter assaulted. The specific allegation is against the petitioner, Mritunjay Kumar of using the iron rod which hit the head and sustained injury on the temporal region. There is also



the allegation of outraging the modesty of the female family members. Accordingly, the FIR.

4. Though learned Counsel for the petitioner tried to impress upon this Court that there is delay in lodging of the FIR, he do not have criminal antecedent and due to simple dispute, the FIR lodged.

5. Learned Counsel for the petitioner submits that the allegation made by the informant does not match with the statement made by his wife *inasmuch* as the allegation of ‘*rangdari*’ as also outraging the modesty part are missing in her statement.

6. To this, Learned APP submits that so far as the assault part is concerned, the allegation is against this petitioner and the same has been found to be grievous in nature.

7. Considering the aforesaid facts, it would be appropriate that the petitioner seeks bail.

8. Cr. Misc. No. 74090 of 2023 stands rejected.

(Rajiv Roy, J)

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