

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80888 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- GOGRI District- Khagaria

Sonu Mahanth @ Sonu Yadav, aged about 35 years, Male, Son Of Late Shambhu Yadav Resident Of Village- Bhuria Tadi Jamalpur, Ward No. 22, P.S. Gogri, District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 04-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 341, 323, 324, 307, 385, 504 and 506/34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner and other co-accused persons demanded extortion of Rs. one lakh on the gun point and when the informant refused, the co-accused Chandan and Himanshu caught the informant and petitioner assaulted the informant with garasa with intention to kill him and the informant sustained several injuries on his body and he became unconscious.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case and petitioner is in custody since 23.05.2023.

5. Learned counsel for the State has opposes the prayer for regular bail of the petitioner.

6. On perusal of the first information report, injury report and impugned order dated 25.08.2023, it appears that there is specific allegation of assault by *Garasa* against the petitioner to assault the informant, as a result of which, the victim sustained several injuries including three incised wound on his body and he became unconscious and further the injury report as mentioned in para-26 of the case diary, it appears that the nature of injuries caused as grievous in nature and also the fact that petitioner has got seven criminal antecedents, so in these circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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