

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81901 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- KANTI District- Muzaffarpur

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UMESH KUMAR @ UMESH MAHTO SON OF MUNESHWAR MAHTO
R/O VILLAGE- GODAI FULKAHA, P.S.- KANTI (PANAPUR O.P.),
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kanti P.S. Case No. 107 of 2023 dated 08.02.2023 registered for the offence/s punishable u/ss 341, 323, 325, 307, 504 and 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons came to the door of the informant and started abusing. On being objected, the accused persons brutally assaulted the informant with Lathi. The petitioner Umesh Mahto gave an axe blow due to which left hand of the informant got fractured.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of 10 days in lodging the FIR. There is case and



counter case between the parties. The informant sustained fractured injury on his hand which is on the non-vital part of the body. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur in connection with Kanti P.S. Case No. 107 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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