

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82852 of 2023

Arising Out of PS. Case No.-501 Year-2023 Thana- BARACHATTI District- Gaya

CHETNARAYAN PRASAD SON OF LATE MEGHU MAHTO RESIDENT
OF VILLAGE- MUSEHANA, P.S. BARACHATTI, DISTRICT- GAYA, PIN-
824201

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s :	Mr. Kanupriya, Advocate
For the Opposite Party/s :	Mr. Dr.Mrityunjaya Kr.Gautam , APP
For the Informant :	Kr. Gautam , Advocate
	Rajnish Ranjan, Advocate
	Shailesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner,

informant and the State.

2. Petitioner apprehends arrest in a case

registered for the offence punishable under section 363

of the Indian Penal Code , 1860.

3. As per the prosecution case, petitioner

alongwith other co-accused persons are alleged to have

abducted the victim and kept the victim in a closed room.

4. It is submitted on behalf of the petitioner that

the present FIR has been registered as a counterblast of

Barachatti P.S. Case no. 622/2020 dated 09.10.2020, for



the offenses under sections 302 and 307 of I.P.C. against the informant's son, namely Yogendra Kumar, which is pending in the Court of Addl. Sessions Judge-II, Gaya. It is further submitted that one Khagiya Devi, who happens to be the mother-in-law of the petitioner, alleged that on January 9, 2020, at about 6:30 p.m., she was at home and her husband, namely the late Ghanshyam. Mahto, who was sitting next to her, was stabbed by the informant's son, namely Yogendra Kumar, because he had registered some land in the name of his daughter (the petitioner's wife). The informant's son had slit the throat of the late Ghanshyam Mahto, due to which he died. Khagiya Devi was also stabbed in the abdomen by the informant's son, due to which she was severely injured. It is further submitted that the informant instituted this case only with a view to pressurize the petitioners and others to withdraw their names from the list of witnesses from the previous case. The name of the petitioner has unnecessarily been dragged in the present case and there is no independent witness of the alleged occurrence. The petitioner has no



concern with the alleged occurrence. Petitioner claims clean antecedent.

5. Learned counsel for the State and informant opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM – IInd, Sherghati, Gaya in connection with Barachatti (M) P.S. case No. 501 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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