

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21774 of 2025**

Arising Out of PS. Case No.-476 Year-2022 Thana- SAMASTIPUR MUFFASIL District-  
Samastipur

=====

Amar Kumar Mahto @ Amar Kumar S/o Satyendra Mahto R/o Village-  
Chhatauna, P.S.- Samastipur Muffasil, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

6      19-08-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with  
  
Samastipur Muffasil P.S. Case No. 476 of 2022 registered for  
  
the offences under Sections 341, 323, 324, 326, 307,  
  
379/34 and 120(B) of the Indian Penal Code.

3. The petitioner is named in the F.I.R. and is in  
  
custody since 20.11.2022.

4. The allegation against the petitioner is to cause  
  
dichotomy injury over penis by using blade along with other  
  
co-accused persons and also to assault him physically.

5. Learned counsel appearing on behalf of the



petitioner submitted that due to local disputes and differences petitioner falsely implicated with the present case as the present FIR was lodged with a delay of 10 days. It is submitted that keeping petitioner behind the bars shall not serve any further justice. It is also pointed out that despite petitioner remains in custody for about 10 months not even a single witness was examined in this matter. While concluding the argument it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer for bail submitted that formal FIR was drawn after delay of 10 days, but statement of injured was recorded at PMCH after three days i.e., on 15.10.2022.

7. In view of aforesaid factual submission and by taking note of fact as formal FIR was drawn with the delay of 10 days without any proper justification, coupled with the fact as not even single prosecution witness was examined, despite petitioner remains in custody since 20.11.2024, accordingly



above named petitioner, is directed to be released on bail in connection with Samastipur Muffasil P.S. Case No. 476 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Samastipur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S. with further conditions:-

**(i)** Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

8. Presence of I.O. is dispensed herewith.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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