

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65242 of 2024

Arising Out of PS. Case No.-306 Year-2020 Thana- ALOULI District- Khagaria

Rambinay Mahto @ Ram Binay Kumar Son of Devan Mahto @ Dev Narayan
Singh R/O Vill.- Haripur, P.S.- Alauli, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 07-02-2025 Heard learned counsel appearing on
behalf of the petitioner and learned Additional
Public Prosecutor appearing on behalf of the State.

2. The prayer of anticipatory bail of this
petitioner was dismissed as withdrawn through Cr.
Misc. No. 9074 of 2024 dated 22.02.2024
(annexure 1 of the present bail petition). It
transpires from the aforesaid order that the
dismissal of earlier bail prayer was without
considering the merit and, therefore, same is still
open for consideration.

3. The accused/petitioner is named in F.I.R.
and apprehending his arrest in connection with



Alauli P.S. Case No. 306 of 2020, registered for the offences punishable under Sections 341, 323, 504, 506, 379, 308/34 of the Indian Penal Code.

4.The allegation against the petitioner is to assault the informant and others by using iron rod, causing head and bodily injury alongwith co-accused persons.

5. Learned counsel appearing on behalf of the petitioner submitted that occurrence took place due to dispute arising out of monetary transactions, where allegation of assault though specifically available against this petitioner but upon medical examination, injury caused by this petitioner was found simple. It is submitted that from the nature of injury the intention of petitioner can be easily gathered that same was not to the extent to cause death. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. The final injury report of injured/informant was called for by this Court vide order dated 24.01.2025, which made available to



this Court and was taken on record. From perusal of said report, it appears that the nature of injury as caused by this petitioner appears simple in nature.

7. Learned APP opposed the prayer of bail.

8. Considering the aforesaid facts and circumstances and by taking note of nature of injury, which is simple, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Khagaria/concerned Court, where the case is pending in connection with Alauli P.S. Case No. 306 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

9. The presence of I.O. of this case is dispensed with.



(Chandra Shekhar Jha, J)

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