

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49329 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -NAUHATTA District- SASARAM (ROHTAS)

Suresh Mahto Son of Ram Prasad Mahto Resident of Village - Belaunja,
P.S. - Nauhatta, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar

For the Opposite Party/s : Mr. Uday Chandra Prasad (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Nauhatta
P.S. Case No. 25 of 2015 registered for the offences punishable
under Sections 341, 323, 504, 324, 307, 379/34 of the Indian Penal
Code.

Allegedly the petitioner was armed with *garasa* and he
and other co-accused variously armed, assaulted the informant, his
father and brother causing injury to them.

Submission is of false implication and that there is case
and counter case, there was free fight between the parties for land
dispute, in this case two co-accused Ram Prasad Mahto and
Kamlesh Mahto have already been allowed bail vide order dated

16.10.2015 passed in Cri. Misc. No. 42314 of 2015 by another co-ordinate Bench of this Court and there being no specific allegation, the petitioner also deserves sympathetic consideration as he is suffering in custody since 12.06.2015, having no criminal antecedent.

The learned A.P.P. fairly submits that there is general and omnibus allegation.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate-1st Class, Dehri arising out of Nauhatta P.S. Case No. 25 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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