

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51262 of 2015

=====

1. Anandi Mahto S/o Late Nunu Mahto R/o Vill- Karhari Bichla Tola, P.S.-
Bhagwanpur, Distt- Vaishali (Hajipur).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sharda Kumari(App)

=====

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

3 15-02-2016

Heard the learned counsel for the petitioner, the
learned A.P.P for the State as also the learned counsel for the
informant.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 146, 149, 323, 324, 307 and 302 of
the I.P.C

The petitioner and 14 other FIR named accused
persons being armed surrounded Chandeshwar Mahto, the brother
of the informant, and started assaulting him with weapon causing
serious injury on his head and the body and when the wife of
Chandeshwar Mahto and other family members came to rescue
they were also assaulted by them. During treatment the brother of
the informant died.

Submission is of false implication and that the
occurrence has taken place due to land dispute, there is no specific

allegation against the petitioner, the allegations are omnibus and general in nature, the deceased was an old aged man and in the altercation he received injuries who later on died, there was no intention to commit murder and as such the petitioner who is suffering in custody since 27.08.2015 deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner was also one of the member of mob and all have assaulted brutally.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioner and as such he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Vaishali at Hajipur in Bhagwanpur P.S. Case No. 217 of 2015, subject to the conditions that one of the bailors must be a 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)

Abhay/-

U		T	
---	--	---	--