

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5805 of 2018

Arising Out of PS.Case No. -459 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Dhrup Mahto @ Dhrub Mahto S/o Late Raj Bivishan Mahto @
Bhabhichhan Mahto @ Raj Bhabhichhan Mahto @ Ram Babhishan Mahto,
R/o Ojha Mathiyan , P.S.- Majhauria, Distt.- W. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh

For the Opposite Party/s : Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Majhauria
Police Station Case No. 459 of 2015 registered for the offences
punishable under sections 147, 149, 341, 323, 307, 504 and 302 of
the Indian Penal Code.

It has been submitted on behalf of the petitioner that
there is no specific allegation of overt act attributed against the
petitioner rather there is general and omnibus allegation of assault
against the petitioner. It has been further submitted that there is
land dispute between the parties. Petitioner is in custody since
03.12.2016 and in spite of direction given by this Court in



Criminal Misc. No. 24572 of 2017 the trial has not concluded within 6 months Similarly situated co-accuseds namely Rozy Mian, and Bind Mahto have been allowed bail by one of the coordinate Bench of this Court in Criminal Miscellaneous Nos. 24572 and 32845 of 2017. The co-accused Baliraj Mahto @ Balraj Mahto @ Balram Mahto has also been allowed bail by a coordinate Bench of this Court in Cr. Misc. No. 3055 of 2018. The case of this petitioner stands on similar footing and so he also deserves bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Fast Track Court-II, Bettiah in connection with Majhaulia Police Station Case No. 459 of 2015, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or



tamper with the evidence.

- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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