

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52674 of 2018

Arising Out of PS.Case No. -419 Year- 2017 Thana -MANJHAULIYA District-
WESTCHAMPARAN(BETTIAH)

=====

Kanti Mahto, Son of Gauri Mahto, resident of Pandey Tola, P.S.- Moffasil
Bettiah, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner, in the present case, is seeking regular bail in
connection with Manjhaulia P.S. Case No. 419 of 2017, registered
for offences alleged under Sections 341, 323, 324 and 302/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that from a
reading of the First Information Report it will appear that there are
specific allegations against the co-accused, Ankt Rai who is said
to have given 'Hasua' blow and damaged the left eye of the
deceased. There is also specific allegation on Santosh Rai who had
assaulted the deceased by the butt of the country made gun. The



allegation against the petitioner and other co-accused persons are general and omnibus that they had given fist and slap blow and also assaulted the deceased by lathi and iron rod. Learned counsel submits that the petitioner is innocent, he is a labourer and has been falsely implicated in this case because of village politics.

It is further submitted that the co-accused, Manohar Mahto has been granted regular bail by a learned Coordinate Bench of this Court in Criminal Miscellaneous No. 27673 of 2018 vide Annexure 3 to the writ application.

In this case, case diary was called for earlier. Learned A.P.P. has gone through the same and has submitted that so far as this petitioner is concerned, he is one among the co-accused against whom there are general and omnibus allegations.

Considering the facts and circumstances of the case, wherein there is no specific allegation of committing overt act as was against the petitioner and the co-accused similarly situated has been granted regular bail by a learned Coordinate Bench of this Court, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Manjhaulia P.S. Case No. 419 of 2017, subject to



the conditions U/S 437(3) Cr.P.C and further condition that he will appear in the learned Court below in course of trial on each and every day and in case of failure to attend the Trial court without their being any cogent reason the bail bond of the petitioner shall be cancelled by the learned Court below without looking for application on behalf of the prosecution.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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

