

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47346 of 2019

Arising Out of PS. Case No.-21 Year-2018 Thana- PIYAR District- Muzaffarpur

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Umesh Mahto Son of Late Bhola Mahto Resident of Village - Bariarpur, P.S.-
Piyar, District- Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner who is in custody since 01.06.2019 has
filed the instant application for grant of bail in connection with
Piar P.S. Case No. 21 of 2018 (District Muzaffarpur) registered
for the offence punishable under sections 323, 324, 147, 148,
149, 341, 379, 380, 120B, 420, 406, 409, 467, 468 and 471 of
the Indian Penal Code.

As per the allegation in the FIR, it is stated by the
informant that on being mislead by the petitioner's son in
making investment in Rose Valley Company, the petitioner had
given a piece of land to the informant to cultivate. However, the
crops were forcibly harvested by the petitioner.

It is submitted by learned counsel for the petitioner
that the allegations narrated in the FIR are not correct. It is
submitted that there is case and counter case between the
parties. The petitioner is in custody since 01.06.2019 and that



the parties have entered into a compromise. It is further submitted that the son of the petitioner has been enlarged on bail by order dated 06.08.2019 passed in Cr. Misc. No. 31523 of 2019.

Pursuant to the issuance of notice by order dated 05.08.2019, the informant has appeared in the case through his counsel. He has not opposed the fact of compromise between the parties as submitted by learned counsel for the petitioner.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation as also that the similarly situated co-accused has been granted bail, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Piar P.S. Case No. 21 of 2018 (District Muzaffarpur).

(Partha Sarthy, J)

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