

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71610 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- BHAGWANPUR District- Begusarai

Arvind Mahto @ Arvind Mahton Son of Baso Mahto @ Basudeo Mahto
Resident of Village-Tadi, P.O-Jokia P.S.-Bhagwanpur, District-Begusarai.
... .. Petitioner

Versus

The State of Bihar Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-12-2019 Heard learned Counsel for the petitioners and the learned
APP for the State.

Counsel for the informant has also appeared and opposed
the prayer for bail.

The petitioner seeks bail in Bhagwanpur PS Case No. 21
of 2019 registered under Sections 147, 149, 302 and 307/504 of the
IPC.

It is submitted by petitioner's Counsel that entire story
regarding assault by eight persons including the petitioner is an
afterthought as the FIR has been lodged about five hours after the
inquest by means of a written report submitted to the police. The
petitioner and deceased are agnates and there is subsisting dispute
between the parties. The postmortem report also does not corroborate
the assault by means of Khati, lathi etc. as only four bruises have
been found on the body of the deceased.

Counsel for the informant submits that various villagers in
course of investigation have supported the occurrence.

Considering the rival submissions and the fact that the
petitioner is having no criminal antecedent and is in custody since
11.7.2019 the prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his



furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Begusarai in Bhagwanpur PS Case No. 21 of 2019 on the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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