

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.744 of 2020

Arising Out of PS. Case No.-82 Year-2019 Thana- GAUTAMBUDHNAGAR District- Siwan

RAJESH MAHTO S/o Bhabhishan Mahto R/o village- Saraiya, P.S.- G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 15-06-2020 Heard learned Counsel for the petitioner and learned Counsel for the State, through video conferencing.

The petitioner seeks regular bail in connection with G.B. Nagar Police Station Case No. 82 of 2019, registered for the offences punishable under Sections 147/148/149/341/323/324/325/307/342/302 of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report, is that he gave a sword blow on the head of the father of the informant, namely, Ramji Mahto, who subsequently died in the hospital due to the said injury.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous dispute between the parties. He further submits that the entire family members, including the women folk, have been



implicated in this case. He also submits that from perusal of the post mortem report, it would be evident that the deceased had sustained injury by means of hard and blunt substance and the cause of his death is also opined by the doctor as a result of hard and blunt object and its impact on his head; whereas in the First Information Report, there is specific allegation against the petitioner that he inflicted sword blow on the head of the father of the informant (deceased), which is sharp cutting weapon.

On the last occasion, a report was called for from the learned Court below, regarding the stage of the case and in pursuance thereof, a report has been submitted on 10.06.2020, by learned Incharge 1st Additional Sessions Judge –cum- Special Judge, Siwan, vide letter no. 197, stating therein that after framing of charge, out of eight chargesheeted witnesses, two witnesses have already been examined.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is in custody since 21.06.2019 and the trial has commenced, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate,
Siwan/concerned Court, in connection with G.B. Nagar Police
Station Case No. 82 of 2019.

It is made clear that at the time of furnishing bail
bonds, all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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