

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7335 of 2020

Arising Out of PS. Case No.-252 Year-2019 Thana- MOKAMAH District- Patna

MUNNA MAHTO Son of Shiv Mahto Resident of Village - Mor (English),
P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance

For the Petitioner : Mr.Chandra Sen Prasad Singh, Advocate

For the State : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-05-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Mokama P.S. Case no. 252 of 2019 registered for offence under sections 302, 149 and 341 of the Indian Penal Code.

As per allegation in the F.I.R., the son of the petitioner having fallen in bad company of Raghubir Kumar, Mukesh Bind and Ram Chandra Bind proceeded at night and the next morning information was received that he got caught in course of committing theft and the villagers had beaten him up. He was taken by police to the hospital. It is further stated that 12 named accused persons including the petitioner and 10 to 15 unknown persons had beaten him up with the intention to kill. He died in course of treatment.

It is submitted by learned counsel for the petitioner that



from the allegation in the F.I.R. it would transpire that the allegations are general and omnibus in nature. There is no eye witness to the occurrence. The petitioner has no criminal antecedent and is in custody since 29.10.2019. It is further submitted that the case of the petitioner stands on a similar footing to other co-accused who has been enlarged on bail by order, detail of which has been given in paragraph no. 15 of the petition.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner being in custody since 29.10.2019 and grant of bail to the co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Mokama P.S. Case no. 252 of 2019 on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IVth, Barh.

(Partha Sarthy, J)

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