

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Cr. Misc. No. 19598 of 2020**

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Ramlal Mahto, son of Gurdeli Mohato, Resident of Vilage-Khaira Ajam,  
 Nonia Toli, P.O.-Revatith, P.S.-Baikunthpur, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Anjani Kumar Jha, Advocate

For the Respondent State: Mr. Dr. Kumar Uday Pratap, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3. 28-08-2020 Heard Mr. Anjani Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Dr. Kumar Uday Pratap, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Mohamadpur P.S. Case No. 169 of 2019, registered for the offence punishable under Sections 341, 323, 324, 307 and 34 of the India Penal Code.

The informant is the mother of the victim, who has alleged that the victim had taken cattle for grazing, but he did not return in the night. On the next day, she was informed that her son was lying injured somewhere, whereafter the victim was taken to hospital. She has further alleged that the victim told the informant that because of certain dispute over transaction of money, the petitioner and co-accused assaulted him with stone



and knife.

The petitioner and the victim are co-villagers, as has been argued on behalf of the petitioner. The petitioner is in custody since 04.12.2019. Learned counsel for the petitioner has argued that the petitioner has absolutely no criminal antecedent and apparently he has been falsely implicated because of some kind of animosity. He has argued that considering his background, the petitioner is not likely to flee away from the process of law if allowed regular bail. He has further argued that allegation in the F.I.R. is vague and no specific overt act has been attributed to the petitioner.

On perusal of the F.I.R., I find substance in submission made on behalf of the petitioner that no specific role of his has been mentioned in the F.I.R.

Considering this aspect and the fact that the petitioner and the victim/informant are co-villagers, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Gopalganj, in Mohamadpur P.S. Case No. 169 of 2019.

It is directed that the defect(s) in the application,



pointed out by the Registry, must be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

**(Chakradhari Sharan Singh, J)**

Pawan/-

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