

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24414 of 2020

Arising Out of PS. Case No.-332 Year-2017 Thana- LALGANJ District- Vaishali

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Pramod Mahto (Male), aged about 35 years, Son of Late Sitaram Mahto
resident of Village- Pojhiya, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
For the Opposite Party/s	:	Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 24-11-2020 Heard Mr. Ajay Kumar Thakur, learned counsel for

the petitioner and Mr. Kalyan Shankar, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Lalganj P.S. Case No. 332 of 2017 registered for the offence

under Section 341 / 323 / 324 / 307/ 302 / 504 / 506 / 34 of the

I.P.C.

The allegation as per the First Information Report is

that the petitioner came to village Atahullahpur and started

abusing the daughter of the informant for demanding share and

assaulted her with sharp edged weapon indiscriminately when

maternal grand-daughter of the informant tried to save her

mother, she was also assaulted and was injured by the petitioner.

The daughter of the informant subsequently died due to the

injuries inflicted by the petitioner.

Learned counsel for the petitioner submits that

petitioner has not committed any offence in the manner alleged

and he has falsely been implicated in this case due to family

dispute. Learned counsel further submits that the fact of the



matter is that the son of the deceased was kidnapped for which Lalganj P.S. Case No. 350 of 2018 was lodged. Learned counsel further submits that another case Lalganj P.S. Case No. 353 of 2018 was also lodged under Section 399, 402 of the I.P.C. in which one Mithun Sahni was apprehended, who in his confessional statement stated that one Arun Rai, Varun Paswan and Mithun Sahni killed the deceased and the incident was seen by the son of the deceased for which the son of the deceased was kidnapped and was killed and his dead body was thrown in the river. Learned counsel further submits that on the identification of Mithun Sahni some weapons were recovered by Police personnel for which Lalganj P.S. case No. 353 of 2018 has been lodged. Learned counsel further submits that large number of villagers have also filed representation before the Director General of Police that the petitioner is innocent and has falsely been implicated in this case. Learned counsel also submits that petitioner has got no criminal antecedent of similar nature and he is in custody since 13.01.2020.

On the other hand, learned counsel for the State referring to the case diary submits that the daughter of the victim was also injured in the same incident and has stated that she has seen the petitioner assaulting her mother by means of



knife.

Having heard learned counsel for the parties and taking into consideration the materials available on record in totality and the fact that petitioner is in custody since 13.01.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM XIV, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 332 of 2017 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

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

praful/-

(Anil Kumar Sinha, J)

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