

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84009 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- BHARGAMA District- Araria

MANTU KUMAR @ MANTU KUMAR SHARMA Son of Sitaram Sharma
Resident of Village - Raghunathpur (South), P.S.- Bhargama, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Yadav
For the State	:	Mr.Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhargama P.S. Case No. 136 of 2019 for the offence registered
under Sections 341, 323, 324, 307, 354(B), 504/34 of the
Indian Penal Code.

The allegation is regarding quarrel having taken place
in between the accused persons and the informant and her
family members on account of throwing of garbage on the land
of the informant. The accused persons including the petitioner
herein are stated to have assaulted the informant and others.

The learned counsel for the petitioner submits that the
specific allegation of assault is against the co-accused person,
namely, Sitaram Sharma who had assaulted the husband of the



informant by means of lathi and farsa. However, it is submitted that as far as the petitioner is concerned, there is no allegation of any sort of specific overt act having been resorted to him. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 12.06.2019.

Having regard to the facts and circumstances of the case and considering the fact that no specific allegation of any sort of overt act has been levelled against the petitioner herein as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on bail.

Accordingly, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 136 of 2019.

(Mohit Kumar Shah, J)

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