

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11671 of 2021**

Arising Out of PS. Case No.-160 Year-2019 Thana- NAYAGAON District- Saran

1. Bikki Mahato Son Of Krishna Mahato Resident Of Village - Rasulpur, P.S.-
Nayagaon, Distt.- Saran.
2. Laddu Mahato Son Of Harindar Mahato Resident Of Village - Rasulpur,
P.S.- Nayagaon, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 14-09-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in connection with Nayagaon P.S. Case No. 160 of 2019 registered for the offence punishable under Sections 147, 148, 341, 323, 324, 307, 504, 506 of the Indian Penal Code.

Allegation against the petitioners is that petitioners along



with other co-accused persons assaulted informant's son by firing with pistol with an intention to kill him. It is alleged that the reason behind this is an old enmity and when informant's son was eating Bhuja with *Jhulan Mahato* then the petitioners along with other miscreants fired upon him.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that during the course of investigation not a single independent witness has come forward to support the allegation levelled against the petitioners. He further submits that ultimately both the parties have amicably compromised the case between them before the court below. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners have no criminal antecedent and Petitioner No. 1 is languishing in custody since 30.10.2020 and Petitioner No. 2 is languishing in custody since 04.11.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor Court
in connection with Nayagaon P.S. Case No. 160 of 2019.

(Anjani Kumar Sharan, J)

GAURAV S./-

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