

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19758 of 2021

Arising Out of PS. Case No.-148 Year-2019 Thana- CHANPATIA District- West Champaran

NANDLAL MAHATO S/O LATE BABU LAL MAHATO R/O VILLAGE
JAITIYA, SAHU TOLA, P.S. CHANPATIYA, DISTRICT WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Chanpatiya P.S. Case No. 148 of 2019 for the offence under Sections 147, 148, 149, 341, 323, 302 and 307 of the Indian Penal Code.

Altogether nine persons including petitioner are alleged to have assaulted the informant and his family members with deadly weapon resultantly, they sustained grievous injuries and one of them has succumbed before the injuries during treatment.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has not committed any offence. In fact, there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. Moreover, the co-accused, namely, Birendra Mahto and Surendra Mahto have been granted regular bail vide order dated 27.11.2019 passed in Cr. Misc. No. 67404 of 2019 by a co-ordinate Bench of this Court and the case of this petitioner stands on better footing. The petitioner is rotting in judicial custody since 03.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 C.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 148 of 2019.

(Rajesh Kumar Verma, J)

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