

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20275 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- DARIYAPUR District- Saran

=====

VIJAY MAHTO Son of Late Munshi Mahto Resident of Village- Tarwa
Mangarpal, P.S.- Dariyapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Vinod Shankar Modi, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Dariyapur P.S. Case No.

237 of 2020, registered for the offence punishable under

Sections 307, 323 and other allied sections of the Indian Penal

Code.

As per the prosecution case, on 20.07.2020 at 2.00

pm, while the informant was at home, all the accused persons

including this petitioner having armed with weapons came there

and hurled abuses and on protest, all the accused persons lashed

with Daab, assaulted the informant on his head as a result of

which he got injured and fell down. When informant's wife and



daughter came to rescue him, they were also assaulted by them.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case on false and frivolous story. Both parties are agnates. There is general omnibus allegation of assault against all the accused persons. From perusal of injury report, it appears that injuries found on the person of injured are simple in nature. Petitioner claims clean antecedent and he is in custody since 28.11.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate 13th, Saran at Chapra in connection with Dariyapur P.S. Case No. 237 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

