

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30926 of 2021

Arising Out of PS. Case No.-6 Year-2015 Thana- JANKINAGAR District- Purnia

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MUKUND MAHTO @ MUKUND KUMAR MAHTO @ MAKUN MAHTO
Son of Sri Munga Lal Mahto Resident of Village - Rampur Tilak, P.S. -
Jankinagar, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr. Nawal Kishore Prasad APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-12-2021 Heard Mr. Amit Kumar Anand, learned counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned counsel

for the State.

Petitioner seeks regular bail in connection with

Sessions Trial No. 36 of 2021 / CIS No. 36 of 2021 arising out

of Jankinagar P.S. Case No. 06 of 2015 registered for the

offence under Section 147, 148, 149, 341, 323, 324, 307, 354,

379, 452, 436, 504 and 506 of the I.P.C. and Section 27 of the

Arms Act.

The allegation as per the first information report is

that petitioner along with other accused persons armed with

lethal weapons arrived at the place of occurrence and it has been

alleged that the petitioner was holding arrow and the other



accused persons were holding Musket etc. assaulted the family members of the informant due to which three persons Heera Lal Mahto, Guneshwar Mahto and Sobhi Lal Mahto received injuries.

Learned counsel for the petitioner submits that no overt act has been alleged against the petitioner and he is only a member of unlawful assembly. He next submits that persons against whom there is allegation of assault namely, Munga Lal Mahto, Bhokhi Mahto @ Choukhi Mahto, Din Dayal Mahto, Dayanand Mahto and Newal Lal Mahto have been granted bail by a co-ordinate bench of this court in Cr. Misc. No. 11297 of 2021. He next submits that petitioner is in custody since 15-12-2020 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that similarly situated co-accused have been granted bail by Co-ordinate Bench of this Court, petitioner is in custody since 15/12/2020 and charge sheet has already been submitted, 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. 20000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned 8th Additional Sessions Judge, Purnea
in connection with Sessions Trial No. 36 of 2021 / CIS No. 36
of 2021 arising out of Jankinagar P.S. Case No. 06 of 2015.

(Anil Kumar Sinha, J)

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