

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30269 of 2020

Arising Out of PS. Case No.-122 Year-2020 Thana- TEGHRHA District- Begusarai

TUNTUN MAHTO Son of Late Debu Mahto Resident of Village- Gaura,
Ward No.-1, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-01-2021 Heard the learned counsel for the petitioner and Shri
Ram Bilash Roy Raman, the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Teghra P.S. Case No. 122 of 2020 for the offence registered
under Sections 448, 307, 504, 302/34 of the Indian Penal Code .

The petitioner and his son are alleged to have arrived
at the door of the informant whereafter they are alleged to have
assaulted and abused the informant. It is further alleged that the
petitioner and his son had also abused the grand father of the
informant Shri Yogeshwar Sah who is stated to have died
subsequently during the course of the treatment.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is having a clean antecedent. The learned



counsel for the petitioner has further submitted that the investigation conducted by the police would show that the son of the petitioner namely Kundan Mahto had assaulted the grand father of the informant by bamboo peg resulting in fracture of his skull, leading to his subsequent death, however, as far as the petitioner is concerned, a general and omnibus allegation of slapping the informant and others has been levelled, hence it is submitted that the petitioner be thus granted the privilege of bail.

Per contra, Shri Ram Bilash Roy Raman, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary, I find that minuscule evidence is available qua the petitioner herein, however, the allegation appears to have been levelled against the son of the petitioner to have hit the deceased by bamboo peg resulting in fracture of his skull and his subsequent death, during the course of treatment, hence I find that as far as the petitioner is concerned, he can be given the benefit of doubt for the purposes of grant of 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, Begusarai in connection with Teghra P.S. Case No. 122 of 2020 (G.R. No. 1394)

(Mohit Kumar Shah, J)

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