

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32774 of 2020

Arising Out of PS. Case No.-459 Year-2015 Thana- MAJHAULIA District- West Champaran

GIRISH MAHTO @ KRISHNA MAHTO S/o Bhabhichan Mahto @ Raj
Bibhishan Mahto Resident of Village- Ojha Mathiya, Sariswa Bazar, P.S.-
Manjhauliya, District- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 21.03.2020 in connection with Majhauliya P.S. Case No. 459/2015 registered for the offences punishable under Sections 147/149/341/323/307/504 of the Indian Penal Code. Later on, Section 302 of the IPC has been added.

As per the prosecution case, the nephew of the informant was assaulted by the petitioner and others at the time of returning home from market. It is further alleged that on the next day, petitioner along with others assembled at the door of the informant and again assaulted him with *Lathi* and *Danda* causing injury leading to his death.



It is submitted on behalf of the petitioner that petitioner is not named in the FIR, but later on, under Section 319 of the Cr. P.C. summons have been issued to this petitioner. It is further submitted that there is general and omnibus allegations against this petitioner. Chargesheet has already been submitted in this case and petitioner is in custody since 21.03.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned CJM, West Champaran, Bettiah, in connection with Manjhauliya P.S. Case No. 459/2015, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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