

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27884 of 2020

Arising Out of PS. Case No.-33 Year-2020 Thana- KHUTAUNA District- Madhubani

RAMPRIT MAHTO Son of Laxman Mahto Resident of Village- Siktiyahi,
P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra

For the Opposite Party/s : Ms.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 27-01-2021 Heard the learned counsel for the petitioner and Ms.
Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Khutauna PS case no. 33 of 2020 instituted for the offences punishable under Section 307, 354(B) and other allied sections of Indian Penal Code.

The allegation is regarding the petitioner and other accused persons having arrived at the house of the informant, whereafter the petitioner is alleged to have given a *dabia* blow on the head of the informant and then all the other co-accused persons are stated to have assaulted the husband of the informant by iron rod.

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



is languishing in custody since 13.03.2020. It is further submitted that the main allegation levelled against the petitioner is that of assaulting the informant and she is stated to have received simple injury, however a general and omnibus allegation has been levelled against the petitioner, as far as assault upon the husband of the informant is concerned.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also in the case diary, this Court finds that the husband of the informant has stated in his statement recorded by the police in the case diary that all the accused persons had assaulted him by iron rod and infact has not named the petitioner to have assaulted him, however the allegation against the petitioner, as levelled by the informant, is regarding him having assaulted her by a *dabia*, however the injury sustained by her has been found to be simple in nature, hence considering the period of incarceration of the petitioner herein, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-III, Madhubani in
connection with Khutauna PS case no. 33 of 2020.

(Mohit Kumar Shah, J)

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