

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36051 of 2020

Arising Out of PS. Case No.-142 Year-2015 Thana- CHAKIA District- East Champaran

BIRENDRA MAHTO SON OF LATE JAMDAR MAHTO RESIDENT OF
VILLAGE - MANSI CHHAPRA, P.S. - CHAKIA, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR CHAKIYA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2021 Heard Mr. Ajay Kumar Singh, learned counsel
for the petitioner and Mr. Ram Priya Sharan Singh,
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Chakia P.S. Case No. 142 of 2015 dated 04.07.2015 instituted for the offences under Sections 313, 354, 354-B, 323, 341, 504, 380 and 34 of the Indian Penal Code.

The accusation in the FIR is that the accused persons entered the shop of the informant and assaulted her and her husband. The accused persons are also said to have tried to outrage the modesty of the female inmates of the house. So far as the petitioner is concerned, it is alleged that he along with co-accused Kishore Kumar took away 25 Kgs. of Sugar from the shop of the informant.



Learned counsel for the petitioner has submitted that the parties are agnates and because of some land dispute which is coming from before, the present case has been lodged. It has further been submitted that on the alleged date of occurrence the petitioner was not present in his village; rather he was at Patna and discharging labour work with a contractor with whom he is associated.

Regard being had to the general nature of accusation against the petitioner and the fact that he does not have criminal antecedents, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakia P.S. Case No. 142 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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