

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2140 of 2020

Arising Out of PS. Case No.-83 Year-2020 Thana- GAURICHAK District- Patna

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AWADHESH MAHTO @ JEEK MAHTO, S/o Bishundeo Mahto Resident of
Village- Gopal Tola (Gopalganj), P.S.- Gaurichak, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajeev Kumar
For the Respondent/s : Mr. Vinay Krishna

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-01-2021 Heard Mr. Sudhir Kumar, learned counsel for

the appellant and Mr. Vinay Krishna, learned Special

Public Prosecutor for the State.

This appeal is directed against the order dated

08.09.2020, in connection with Special Case No. 155 of

2020, arising out of Gauri Chak P. S. Case No. 83 of

2020, passed by the learned Special Judge, SC / ST,

Patna, whereby the prayer for grant of bail has been

rejected.

From the perusal of the F.I.R., it appears that

the appellant and several others tried to stop the

informant from fishing in a pond. Later, it has been



stated that the appellant along with other accused persons entered the house of the informant and assaulted him as well as his mother. Later, the dead-body of his father was recovered.

With respect to the assault on the father of the informant (deceased), there is no eye-witness.

The learned counsel for the appellant has submitted that he has been made accused because of past enmity between the families. The appellant used to protest against the illegal activities of the deceased. The deceased himself was a person of criminal antecedents and the possibility of his having been killed in some other transaction cannot be ruled out.

The appellant claims to be a person of clean antecedents and is in custody since 23.03.2020.

Regard being had to the nature of accusation, the circumstances and the period of custody of the appellant, the order dated 08.09.2020, in connection with Special Case No. 155 of 2020, arising out of Gauri



Chak P. S. Case No. 83 of 2020, passed by the learned
Special Judge, SC / ST, Patna, is set aside.

The appellant, above-named, is directed to be
released on bail on his furnishing bail bonds in the sum
of Rs. 10,000 /- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of the learned
Special Judge, SC / ST, Patna, in connection with
Special Case No. 155 of 2020, arising out of Gauri Chak
P. S. Case No. 83 of 2020.

The appeal stands disposed off accordingly.

(Ashutosh Kumar, J)

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