

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39278 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- MANJHAGARH District- Gopalganj

Sunil Mahato Son Of Late Shivnath Mahato Resident Of Village- Sareya
Akhatayar, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Sager Sharma, Advocate
For the State	:	Mr. Parmeshwar Mehta APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Manjhagarh PS Case No. 116 of 2020, instituted for the offence under Sections 341,323,307,504 and 506/34 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code has been added.

The accused persons were allegedly indulging in some construction which was objected to by the informant whereafter the accused persons have assaulted the informant and his family members.

It is submitted that specific assault has been attributed against Munna Mahto, Tara Devi and Pawan Mahto co-accused persons. There is no allegation of specific assault on the petitioner and based on general and omnibus allegations, the



petitioner is now in custody since 09.06.2020. He bears a clean past and his implication is based on extraneous consideration.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, 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 the learned Chief Judicial Magistrate Gopalganj, in connection with Manjhagarh PS Case No. 116 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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