

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2674 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- JOGAPATTI District- West Champaran

MADAN MAHTO, Son of Late Mangru Mahto Resident of Village-
Rudalpur, P.S.- Yogapatti, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-03-2021 Heard Mr. Sanjeev Kumar Shrivastava, learned
Counsel for the petitioner and Mrs. Renu Kumari, learned
Additional Public Prosecutor for the State, through Video
Conferencing.

This application, for grant of regular bail, arises out
of Yogapatti Police Station Case No. 133 of 2020, disclosing
offences under Sections 341, 323, 324, 307, 325, 354(B), 379,
447, 427, 504, 506/34 of the Indian Penal Code.

The allegation, as per the First Information Report
is that the petitioner along with other accused persons assaulted
the informant and others. It has further been alleged that the
petitioner assaulted the nephew of the informant, Dinesh Kumar,
by means of *Farsa* on his head.

Learned counsel for the petitioner submits that both



the parties are close door neighbours and there is case and counter case between the parties inasmuch as Yogapatti P.S. Case No. 140 of 2020 has been lodged by son of the petitioner against the informant and others for an incident which has taken place on same date and time. Learned counsel referring to Annexure-3, which is injury report of the victim, Dinesh Kumar, submits that the injury caused to him have been found to be simple in nature except the city scan which has been opined as grievous. Learned counsel next submits that the petitioner has also received injury on his head which would be evident from the injury report annexed at Annexure-3 and there was free fight between the parties and both sides have received injuries. Learned counsel further submits that petitioner is in custody since 16.06.2020, i.e., for about nine months.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the nature of allegation and the fact that there is case and counter case between the parties and both sides are close door neighbours, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Madan Mahto, 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 learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Yogapatti Police Station Case No. 133 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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