

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7627 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- PAHARPUR District- East Champaran

SUDAMA MAHTO SON OF SHREE MAHATO RESIDENT OF VILLAGE-
SISWA KANHI TOLA, P.S- PAHARPUR, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Paharpur P.S. Case No. 84 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 302, 379, 504 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to be one of the persons along with Vikram Mahto, who has inflicted fatal assault on the informant's wife Kaushalya Devi. Against the petitioner, in fact, there is an allegation of assault on the informant's daughter-in-law Marchiya Devi by stick and rod.

It is submitted by learned counsel for the petitioner that



petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that from the perusal of the First Information Report it is apparent that specific allegation of assault to the deceased Kaushalya Devi is against co-accused Bikrama Mahto and no injury report has been brought on record to corroborate the allegation of assault to the daughter-in-law of the informant levelled against the petitioner. He further submits that similarly situated co-accused person has been granted bail *vide* order dated 11.11.2020 in Cr. Misc. No. 29054 of 2020 by a Co-ordinate Bench of this Hon'ble Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 05.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Paharpur P.S. Case No. 84 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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