

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1849 of 2022

Arising Out of PS. Case No.-400 Year-2020 Thana- SUGAULI District- East Champaran

UPENDRA MAHTO S/o chirkut Mahto R/o Vill Begiya Tola Fulwariya, P.S.-
Sugauli, Distt.- East champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 307, 147, 149,
341, 323, 324, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the seven named
accused persons including the petitioner herein are said to have
come variously arms and of having assaulted the informant and
the members of his family. The petitioner is said to have
assaulted the son of the informant namely Pintu Kumar with a
knife.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. No
such occurrence as alleged in the FIR took place. Accepting the
allegations in the FIR, the injury attributable to the petitioner



has been found to be simple in nature which would be evident from the injury report (Annexure 2) as also the contents of the order of the learned trial Court. The petitioner is in custody since 12.1.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the injury report attributable to the petitioner having found to be simple in nature together with the petitioner having remained in custody for 1 year 4 months, the Court directs the petitioner to be enlarged on bail in connection with Sugauli P.S. Case no. 400 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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