

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7960 of 2022

Arising Out of PS. Case No.-222 Year-2020 Thana- JAMUI District- Jamui

SULO MAHTO @ SURENDRA MAHTO Son of Kashi Mahto Resident of
Village - Baruata, P.S. and District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner seeks regular bail in connection with
S.T. No. 156 of 2021 arising out of Jamui P.S. Case No. 222 of
2020 instituted for the offences under Sections 143, 341, 323,
307, 324, 447, 354(B), 504/34 and 302 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.11.2020, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that while she was working in
her home, heard some noise and accordingly went to the Angan
(open place) within the house, where she saw Ashok Mahto,



further on asking him what was doing in the house accused gagged her mouth, further on scream of the informant the accused fled away. It is next alleged that on hearing the informant's scream Vickey Kumar came who was assaulted by Vikash Kumar, Subhash Kumar and Uchit Kumar by Khanti on account of assault Vickey Kumar became unconscious, thereafter the elder brother-in-law (Mahendra Singh) of the informant came who was also assaulted by the petitioner on his head by Khanti causing injury. It is further alleged that Vickey Kumar is being treated at PMCH, Patna and Mahendra Singh is being treated at Sadar Hospital, Jamui.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that as far as this petitioner is concerned the only allegation against him is of assault to Mahendra Singh by Khanti on his head. Learned counsel further draws the attention of the Court to the injury report of Mahendra Singh and submits that the injury are simple in nature, though it is on the vital part of the body. Learned counsel also submits that co-accused Ashok Mahton @ Ashok Kumar Mahton has been granted bail by order dated 29.01.2021 in Cr. Misc. No. 35072 of 2020.

Learned A.P.P. for the State vehemently opposes the



prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted, injury is simple in nature and co-accused has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Jamui in connection with S.T. No. 156 of 2021 arising out of Jamui P.S. Case No. 222 of 2020.

(Satyavrat Verma, J)

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