

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8036 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- SOHSARAI District- Nalanda

Manoj Mahto @ Majho Mahto @ Manoj Kumar Son Of Late Nageshwer
Mahto R/O Village- Ashanagar, P.S.- Sohsarai, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Sohsarai
P.S. Case No. 46 of 2021 registered for the offence under
Sections 341, 323, 325, 307, 379, 504 and 34 of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2021.

The allegation against the petitioner is to made an
attempt to commit murder of the brother of the informant and
while making such an attempt assault was caused on face of
injured/brother of the informant with a piece of stone.



Learned counsel appearing on behalf of the petitioner submitted that occurrence is due to previous enmities which is founded over money dispute as it is admitted through the face of FIR. It is submitted that allegation of assault is very much general and omnibus, as same is also available against other co-accused persons. It is further submitted that allegation, as regard to assault, against this petitioner is not repeated without any intervening circumstances, completely negating thereof having intention to cause death. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence..

Learned APP duly assisted by learned counsel appearing on behalf of the informant, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault is not repeated without any intervening circumstances, negating intention thereof coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sohsarai P.S. Case No. 46 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar shariff, Nalanda/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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