

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8662 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- MAHESI District- East Champaran

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Mohan Mahto Son Of Sri Mahto Resident Of Village- Dagaraha, Ward No. 8,
P.S. Mehsi (S.B.C. O.P.), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2022 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 Mehsi
P.S. Case No. 73 of 2021 registered for the offence under
Sections 147, 149, 341, 342, 447, 232, 324, 307, 290, 394, 427,
504, 506 and 509 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.08.2021.

The allegation against the petitioner is to assault upon



informant and others with lathi, danda, farsa etc. causing bodily injury, having intention to cause death, while passing the door of the informant along with D.J. playing vulgar song.

Learned counsel appearing on behalf of the petitioner submitted that allegation against the petitioner is very much general and omnibus, where allegation is limited only to be the part of mob only. It is submitted that due to land dispute, the petitioner has been implicated purposely to get advantage, while dealing with civil litigation. It is further submitted that for the same set of occurrence a case as Mehsi P.S. Case 74 of 2021, was also lodged by one of the co-accused against informant and others. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as allegation against this petitioner is very much general and omnibus regarding assault, rather same appears to be limited only part of mob only, as per FIR 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 Mehsi P.S. Case No. 73 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 Additional Chief Judicial Magistrate-VI, Motihari, District-East Champaran/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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