

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19799 of 2021

Arising Out of PS. Case No.-152 Year-2018 Thana- ISUAPUR District- Saran

-
1. Subhash @ Satyendra @ Satyendra Kumar @ Satyendra Mahto @ Subhash Mahto S/O Late Nandlal Mahto
 2. Vikash @ Vikau @ Vikash Kumar @ Vikash Kumar Mahto @ Vikash Mahto @ Vikau Mahto S/o Jawahir Mahto
Both R/o Village- Bela, P.S.- Isuapur, District- Saran

.... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv
For the Opposite Party/s : Mr.Ashok Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State in virtual Court proceeding.

The petitioners seek bail in connection with Isuapur P.S.Case No. 152 of 2018 registered for the offence under Sections 147,341,323,324,379,307 and 504 of the Indian Penal Code.

The prosecution case in short is that the accused persons assaulted informant and his cousin brother due to which they sustained injury and later his cousin brother succumbed to



the injury.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that it appears from the FIR itself there is specific allegation against two persons, namely, Teras Mahto and Arjun Mahto who assaulted with Farsa to Mantosh Kumar Singh. He further submits that there is general and omnibus allegation against the petitioners. He further submits that the police, after investigation, submitted chargesheet against the petitioners and other co-accused persons under Sections 147, 148, 323, 324, 379, 307, 302 and 504 of IPC. He further submits that co-accused, namely, Teras Mahto has been granted bail by a Coordinate Bench of this Court on 25.02.2019 in Cr. Misc. No.79630 of 2018. He further submits co-accused, namely, Manu Mahto @Munna Mahto @ Munnu Mahto has been granted bail by a Coordinate Bench of this Court vide order dated 26.11.2019 in Cr.Misc. No.75438 of 2019. He further submits that co-accused, namely, Gangiya Devi has also been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 07.02.2019 in Cr. Misc. No. 7141 of 2019. Petitioners are in custody since 16.12.2020.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran at Chapra in connection with Isuapur Police Station Case No.152 of 2018 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

