

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31855 of 2021**

Arising Out of PS. Case No.-338 Year-2020 Thana- HUSSAINGANJ District- Siwan

RAMNATH MAHTO Son of Late Bangali Mahto @ Late Thakur Mahto  
Resident of Village - Chhapia Bujurg, P.S.- Hussainganj, District - Siwan  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Anil Chandra, Advocate.  |
| For the Opposite Party/s | : | Mr. Rana Randhir Singh, APP  |
| For the Informant        | : | Mr. Suresh Mishra, Advocate. |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

4      02-03-2022                      Heard Mr. Anil Chandra, learned counsel for the petitioner, Mr. Rana Randhir Singh, learned counsel for the informant and Mr. Suresh Mishra, learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Hussainganj P.S. Case No. 338 of 2020 registered for the offences punishable under Section 147, 148, 341, 307, 308, 379, 504 and 506 of the Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code was added.

As per the First Information Report, the petitioner along with 18 FIR named accused persons allegedly assaulted the informant and her other family members including her son and the petitioner has allegedly assaulted the son of the informant by means of iron rod, due to which, he died in the



hospital.

Learned counsel for the petitioner submits that both the parties are co-villagers and there is land dispute between them. There is general and omnibus allegation against all the accused persons, who are 19 in numbers. He further submits that there was free fight between the parties and from the side of the petitioner, four persons received injuries but their complaint was not registered by the Police. The petitioner is in custody since 18.12.2020 and charge-sheet has already been submitted.

On the other hand, Mr. Suresh Mishra, learned counsel for the informant vehemently opposed the prayer for bail and submits that specific allegation of assault is against the petitioner that he assaulted the son of the informant by means of iron rod which is corroborated by the inquest report as well as postmortem report.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that there is specific allegation of assault against the petitioner, and the deceased had sustained injuries on his head caused by hard and blunt substance leading to his death, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the same is rejected.



However, the petitioner may renew his prayer for bail  
after one year if the trial does not show any progress.

**(Anil Kumar Sinha, J)**

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