

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24749 of 2022

Arising Out of PS. Case No.-121 Year-2019 Thana- SURSAND District- Sitamarhi

RAJDEO MAHTO SON OF DHARKHAN MAHTO R/O VILLAGE-
MAJHAURA, P.S.- SURSAND, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard Mr. Ravi Ranjan, learned counsel for the

petitioner and Dr. Mrityunjaya Kr.Gautam, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Sursand PS Case No. 121/2019 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 325, 302,
504 of the IPC while the charge-sheet has been submitted under
Sections 341, 323, 325, 504 and 304/34 of the IPC.

Petitioner, along with other accused persons ten in
numbers, is alleged to have assaulted the father of the informant
by means of *Lathi* as a result of which, he died in hospital and
when the informant along with his wife came to rescue his
father, the accused persons also assaulted them.

Learned counsel for the petitioner submits that the



allegation against the petitioner is general and omnibus in nature and no body is an eyewitness to the occurrence. He next submits that there is admitted land dispute between the parties and similarly situated co-accused persons have been granted bail *vide* Annexure-4 Series.

Learned counsel further submits that during course of trial, the informant has deposed that he cannot say the name of the persons as to who informed about the occurrence and who assaulted his father. He next submits that the petitioner is in custody since 18.10.2021 having no criminal antecedent and the charge-sheet has been submitted under Section 304 of the IPC.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 18.10.2021 having no criminal antecedent, the charge-sheet has been submitted under Section 304 of the IPC and the similarly situated accused persons have been granted bail by co-ordinate Benches of this Court *vide* Annexure-4 Series, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAJDEO MAHTO be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate,
Pupri, Sitamarhi in connection with Sursand PS Case No.
121/2019.

(Anil Kumar Sinha, J)

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