

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41828 of 2021**

Arising Out of PS. Case No.-408 Year-2020 Thana- KATEYA District- Gopalganj

Mantu Singh S/O Sokha Bhagat R/O Village-Ramdas Baghi, P.S-Kateya,
District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s :	Mr. Syed Mojibur Rahman, APP
	Mr. Sanjay Kumar Pandey No. 5, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 06-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the informant.

This application for regular bail arises out of Kateya P.S. Case No. 408 of 2020, disclosing offence punishable under Sections 341 / 323 / 325 / 307 / 379 / 354 / 302 / 34 of the Indian Penal Code.

The petitioner is not named in the F.I.R.. The deceased Ram Punit Mishra and others were allegedly assaulted by the persons named in the F.I.R.. The F.I.R. contains vivid



description of the manner of occurrence. It is evident from the F.I.R. that the occurrence had taken place because of land dispute as allegedly accused Jaleshwar Mishra was ploughing the field belonging to the informant. The petitioner's name transpired during the course of investigation as the driver of tractor with which the land was being ploughed.

Learned counsel appearing on behalf of the petitioner has submitted that no overt act has been alleged in the F.I.R. against the petitioner.

Learned counsel for the informant, while opposing the prayer for bail has not been able to point out any specific overt act alleged against the petitioner of physical assault.

The petitioner is in custody since 05.02.2021. Learned counsel for the petitioner has also submitted that co-accused Purushottam Kumar Mishra has been allowed bail by this Court.

Considering the prosecution's case and the petitioner's incarceration since 05.02.2021, in my opinion, a case for grant of regular bail is made out. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with



two sureties of the like amount, each to the satisfaction of
learned Additional Sessions Judge-III, Gopalganj in Kateya P.S.
Case No. 408 of 2020.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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