

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49988 of 2021

Arising Out of PS. Case No.-105 Year-2021 Thana- GAUNAHA District- West Champaran

RAJAN MAHTO Son of Sri Prayag Mahto Resident of Village - Pakadi
Bishauli, P.S.- Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Gaunaha P.S. Case No. 105 of 2021 instituted for the offences
under Sections 147, 341, 323, 307, 504 and 506 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that on 04.06.2021, at about
7:00 P.M., all the FIR named accused persons including the
petitioner started assault with lathi, danda, brick and stone,
Prayag Mahto assaulted the informant with brick due to which



he sustained head injury and blood started oozing and when the son of the informant came to save him then they also assaulted and Rajan Mahto (petitioner) assaulted Ranjana Devi with bricks as a result of which she sustained grievous head injury and on hulla villagers came and brought them to the hospital for treatment.

Learned counsel for the petitioner submits that the occurrence took place on a trivial issue for fixing electricity wire through bamboo. Learned counsel further submits that this is even assuming what has been alleged in the FIR is true then both sides suffered injury and this is the first offence of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and it is its first offence and the assault as per allegation is not repeated and the opinion of the doctor with regard to the injury is still reserved, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah,



West Champaran in connection with Gaunaha P.S. Case No. 105
of 2021.

(Satyavrat Verma, J)

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