

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57115 of 2021

Arising Out of PS. Case No.-151 Year-2021 Thana- NAANPUR District- Sitamarhi

Satish Kumar, S/O Umesh Mahto Resident Of Village - Birar, P.S. - Nanpur,
District - Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Virendra Kumar- Advocate
For the Opposite Party/s :	Mr. Santosh Kumar- A.P.P.
For the Informant :	Mr. Ajit Kumar- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 302/
34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that all the accused persons named in the F.I.R. including
the petitioner were abusing and assaulting Bablu Kumar on
account of dispute relating to cricket in front of the house of the
Chhotan Mahto and when father of the informant went to rescue
Bablu Kumar, all the accused persons started abusing and
assaulting and accused Chhotan Mahto assaulted with khanti on



the head of the father of the informant, who fell and was declared dead when brought to the hospital.

The learned counsel for the petitioner submits that from bare reading of the allegation as alleged in the F.I.R., it would manifest that specific allegation of assaulting the deceased on his head by khanti is against Chhotan Mahto and as far as this petitioner is concerned, the allegations are general and omnibus in nature. No specific allegation is against the petitioner.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that the specific allegation of assault is against Chhotan Mahto.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Nanpur P. S. Case No.151 of 2021,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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