

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68498 of 2021**

Arising Out of PS. Case No.-128 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

RAMAKANT MAHTO Son of Raja Ram Mahto Resident of Village-
Khanjapur, P.S.- Cheriya Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Prasad, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.10.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that the petitioner along with
named accused persons came to his house while he was getting
iron bar prepared over the roof of his under constructed
building. Further, the accused persons called the informant



down the stair and Raja Ram Mahto caught him and the petitioner assaulted with Pagharia (Dabia) on the head of the informant causing serious injury. Thereafter, Raja Ram Mahto and Ram Vilash Mahto assaulted the informant with an iron rod. Further, Sunil Mahto, Ajay Mahto and Vijay Mahto all sons of Ram Bilash Mahto armed with lathi, danda and Sunil armed with Hasuli came and assaulted the informant causing injury over his nose and cheek and Ajay Mahto also snatched a golden chain.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. From bare perusal of the allegation as alleged in the FIR, it would manifest that the occurrence took place on account of dispute relating to construction of the house. It is submitted that petitioner is not a criminal and even presuming what has been alleged is true without admitting the same for the purposes of bail then the blow was not repeated and the petitioner has remained in custody.

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 since 17.10.2021, is a person with clean antecedent and charge-



sheet has been submitted, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Cheriya Bariyarpur P.S. Case No. 128 of 2020, subject to the condition that if the petitioner is involved in a case of similar nature and the same comes to the notice of the learned court below, the learned court below shall forthwith cancel the bail bond of the petitioner after recording reasons.

(Satyavrat Verma, J)

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