

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12542 of 2023

Arising Out of PS. Case No.-190 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Dharmendra Mahto @ Dharmendra Prasad Son Of Jogeshwar Mahto @
Yogeshwar Mahto R/V- Naduan, P.S.- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504/34 of the IPC and later on 302 of the Indian Penal has also been added.

As per prosecution case, informant alleged that on 22.08.2021, while he and his son were coming their house in the meantime petitioner along with co-accused persons came armed with *lathi*, *danda* and sword and assaulted his son due to which his son sustained injury. It is further alleged that co-accused persons also snatched cash of Rs. 300/- from his pocket.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. There is no specific allegation of assaulting against the petitioner rather general and omnibus allegation leveled against him. He has got no criminal antecedent. It is further submitted there is an inordinate delay of six days in giving information to the police with respect to the alleged occurrence. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 11.04.2022 passed in Cr. Misc. No. 65808 of 2021. The petitioner is languishing in judicial custody since 21.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhagwanpur Hat P.S. Case No. 190 of 2021 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned A.C.J.M.-IX,
Siwan.

(Sunil Kumar Panwar, J)

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