

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17866 of 2023

Arising Out of PS. Case No.-400 Year-2020 Thana- SUGAULI District- East Champaran

1. Dawarika Mahto S/O Late Veerakash Mahto Resident Of Village-Begiya Tola Fulwariya Ward No. 3, P.S-Sugauli, Dist.-East Champaran
2. Jugesh Mahto @ Yogesh Mahto @ Yogendra Mahto S/O Lalu Mahto Resident Of Village-Begiya Tola Fulwariya Ward No. 3, P.S-Sugauli, Dist.-East Champaran
3. Awadesh Mahto S/O Lalu Mahto Resident Of Village-Begiya Tola Fulwariya Ward No. 3, P.S-Sugauli, Dist.-East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

As per FIR, the allegation against the petitioners along with co-accused persons is that they assaulted the informant and his family members with intention to kill.



Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to land dispute. There is no specific allegation of assaulting and stabbing attributed against the petitioners rather general and omnibus allegation attributed against them. The specific allegation of stabbing by means of knife is against co-accused, namely, Upendra Mahto. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 09.06.2022 passed in Cr. Misc. No. 1849 of 2022. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.12.2022.

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 petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sugauli P.S. Case No. 400 of 2020 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Chief Judicial
Magistrate, Motihari East Champaran.

(Sunil Kumar Panwar, J)

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