

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22437 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- BAKHARI District- Begusarai

1. SUKHDEV MAHTO @ SUKHO MAHTO S/O LATE NUNU MAHTO @ NUNULAL MAHTO R/O VILL.- MEHDA-SAHPUR, P.S-CHERiyABARIYARPUR, DISTT.- BEGUSARAI
2. JIBACHH MAHTO @ JIBACHH S/O MAHENDRA MAHTO R/O VILL.- TABKHA, P.S- SINGHIYA, DISTT.- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr Uday Pratap Singh, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioners have preferred this application for grant of regular bail in connection with Bakhari (Parihara OP) Police Station (for brevity, **PS**) Case No 179 of 2021 dated 27.06.2021 registered for the offence punishable under Sections 147, 149, 341, 323, 307, 325, 504, 506 of Indian Penal Code.

As per prosecution case, the petitioners and 10-20



unknown persons assaulted and inflicted severe injuries to the prosecution party.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal case, as stated in paragraph 3 of the bail petition. They are in custody in this case since 16.01.2023. The co-accused Dharmendra Mahato @ Dharba, Jitendra Mahato and Heeralal Mahto @ Heerwa, Amarjeet Mahto @ Bhatta @ Bhato Mahto have already been granted bail by the coordinate Bench of this Court in Cr Misc No 38705 of 2022 and Cr Misc No 54074 of 2022 respectively.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioners, the petitioners above named are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Bakhari PS Case No 179 of 2021 dated 27.06.2021 with the condition:

The petitioners are directed to remain physically present before the



learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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