

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37682 of 2023

Arising Out of PS. Case No.-484 Year-2020 Thana- BASANTPUR District- Siwan

BIRENDRA MAHTO S/O SAMRAJ MAHTO R/O Village- Khwaspur PS.
Basantpur (OP Lakdi Naviganj) Dist. Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Basantpur P.S. Case No. 484 of 2020,
registered for the offences punishable under Sections 341, 323,
325, 307, 302, 354, 34 of the I.P.C.

As per allegation, 8 FIR named accused persons
equipped with *sabal*, *kudal*, etc dismantled the water supply
pipe of the informant and also assaulted her family members.
Her grandfather-in-law became injured and he died in way to
the hospital.

Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. The allegation is general and omnibus. He is a person of clean antecedent. He has submitted further that he is not the family member of the accused person rather he is son-in-law (*damad*) of that house. He has also submitted that on exactly similar footing, two co-accused Pramila Devi and Geeta Devi have been granted bail in Cr. Misc. No. 28922 of 2021 and 42919 of 2021 respectively. The petitioner is under custody since 27.02.2023.

Considering the above-mentioned facts and circumstances, as well as clean antecedents of the petitioner, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 484 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the



learned court below will take decision in accordance with
law.

(Nawneet Kumar Pandey, J)

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