

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1920 of 2023**

Arising Out of PS. Case No.-56 Year-2021 Thana- SIMULTALLA District- Jamui

Uchit Mahto @ Uchit Kumar Son Of Santosh Mahto @ Santosh Mandal R/V-  
Gadi Telwa, P.S.- Simultala, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 43693 of 2022**

Arising Out of PS. Case No.-56 Year-2021 Thana- SIMULTALLA District- Jamui

Pramod Kumar @ Gorelal S/O Thakur Mahto R/O Village- Gadi Telwa, P.S.-  
Simultala, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 1920 of 2023)  
For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv  
Mr. Jyoti Ranjan Jha, Adv  
For the Informant : Mr. Rajesh Kumar Sinha, Adv  
For the State : Mr. Pranav Kumar, APP  
(In CRIMINAL MISCELLANEOUS No. 43693 of 2022)  
For the Petitioner/s : Mr. Satya Prakash Parasar  
Mr. Vikram Dev Singh  
For the Informant : Mr. Rajesh Kumar Sinha, Adv  
For the State : Mr. Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

5      03-07-2023                      Heard   learned   counsel   for   the   petitioners,  
  
informant and learned APP for the State.

The petitioners are languishing in custody in a  
  
case   registered   for   the   offences   punishable   under



Sections 147, 149, 302, 120(B) of the Indian Penal Code.

As per allegation in the F.I.R, on 26.07.2021 at about 6:00 a.m in the morning, when the informant, his father and cousin were going to plough their field, all the accused persons named in the F.I.R including the petitioners surrounded them and thereafter attacked on them by means of *Tangi, Lathi*. The petitioner Pramod Kumar inflicted *Tangi (a sharp edge weapon)* blow over the head of the father of the informant, whereas petitioner Uchit Mahato assaulted with *Tangi* over left leg of the father of the informant and when he fell on the ground, co-accused Govind Mahto assaulted with *Tangi* over right leg of informant's father. Co-accused Mitthu Kumar is alleged to have assaulted with *Tangi* over head of the father of the informant. Co-accused Arvind Kumar and Vikram Kumar also repeatedly assaulted with *lathi* to the victim, as a result of which, the father of the informant succumbed to the injuries.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. There is land dispute between the parties. Moreover, other co-accused has been granted bail by a coordinate Bench of this Court vide order dated 13.07.2022 passed in Cr. Misc. No. 14295 of 2022. The petitioners are languishing in custody since 24.08.2022 and 29.07.2021.

*In contra*, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioners and submitted that petitioners were named in the F.I.R and the occurrence was committed in a planned manner and the witnesses have also supported the case of the prosecution.

Considering the fact that petitioner Pramod Kumar @ Gorelal (Cr. Misc. No. 43693/2022) assaulted the deceased on his head, vital part of body by *Tangi*, a



sharp cut weapon, this Court is not inclined to grant privilege of bail to him. The prayer for bail of petitioner Pramod Kumar @ Gorelal (Cr. Misc. No. 43693/2022) stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

So far as petitioner Uchit Mahto @ Uchit Kumar (Cr. Misc. 1920 of 2023) is concerned, since petitioner Uchit Mahto is not alleged to have inflicted injury on vital part of the body of the deceased, let the petitioner/Uchit Mahto @ Uchit Kumar, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, II, Jamui in connection with Simultala P.S. Case No. 56 of 2021.

**(Sunil Kumar Panwar, J)**

Shageer/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

