

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44072 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- SIMULTALLA District- Jamui

Ramdev Mahto Son Of Pavitra Mahto R/O Village- Gadi Telwa, P.S.-
Simultalla, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha
For the Informant/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Jyoti Ranjan Jha, Adv.
For the Opposite Party/s	:	Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 17-04-2023 Heard learned counsel for the petitioner,

learned A.P.P appearing on behalf of the State and

learned informant.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 147, 148, 149, 341, 323, 324, 325, 326, 302,

307, 447, 504 of the Indian Penal Code.

The prosecution case as per F.I.R. is that the

accused persons due to land dispute surrounded the

informant's side and it is alleged that they assaulted one

Mitthu Mahto and Govind Mahto. The specific allegation



against other co-accused persons including the petitioner is that they used *tangi* to hit the chest of the Mitthu Mahto, who subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case due to land dispute. It appears from the F.I.R. that there is general and omnibus allegation against the petitioner. The postmortem report which is annexed as Annexure-2 does not corroborate with the prosecution case. Moreover, the other co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 11.08.2022 passed in Cr. Misc. No. 25417 of 2022. The petitioner is languishing in custody since 27.02.2022.

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 petitioner and submitted that petitioner is named in the F.I.R.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, 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, Jamui in connection with Simultala P.S. Case No. 92 of 2021.

(Sunil Kumar Panwar, J)

Ayush/-

U		T	
---	--	---	--

