

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48424 of 2023**

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

SURESH MAHTO Son of Aasho Kuswaha Resident of village - Gadhi Telwa,  
P.S. - Simultala, Distt. - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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

2      04-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 325, 326, 302, 307, 447, 504 of the Indian Penal Code.

3. As per prosecution case, the accused persons are alleged to have commit murder of the brother of the informant along with the petitioner by causing several bodily injuries, where the petitioner is alleged to cause injury to Govind Mahto.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both the parties are co-villagers and a civil dispute was going on between them due to which the petitioner has falsely been implicated in



this case. From perusal of FIR, it appears that there is no specific overt-act against the petitioner to assault the deceased. General and omnibus allegation leveled against him. Moreover, similarly situated co-accused namely, Nageshwar Mahto has already been granted bail by a co-ordinate Bench of this Court vide order dt. 25.5.2022 passed in Cr. Misc. No. 18058 of 2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 13.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Simultala P.S. Case No. 92 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1<sup>st</sup>, Jamui.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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