

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51124 of 2023

Arising Out of PS. Case No.-68 Year-2015 Thana- HARLAKHI District- Madhubani

Rambabu Mahto Son Of Late Dukhi Mahto Resident Of Village- Bishaul, Ps-
Harlakhi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 304 and 34 of the Indian
Penal Code.

3. As per allegation in the FIR, the petitioner along with
other accused persons came and on the order of Ram Bilas Mahto,
petitioner assaulted the informant's wife with bamboo stick on her
head due to which she fell down on the ground and thereafter all
the accused persons are said to have assaulted her as a result of
which she died during course of treatment.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case due to village
politics. The F.I.R. has been lodged after the inordinate delay of 18



days. General and omnibus allegation has been levelled against the petitioner. There is no allegation of repeated blow against him. It is also submitted that after completing the investigation petitioner not sent up for trial but the trial court summoned to the petitioner for trial u/s 319 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other co-accused namely Rambilash Mahto has already been granted bail by another co-ordinate Bench of this Court vide order dated 27.08.2015 passed in Cr. Misc. No. 38441 of 2015. Petitioner is languishing in judicial custody since 24.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VIII, Madhubani in connection with Harlakhi P.S. Case No. 68 of 2015.

(Sunil Kumar Panwar, J)

lata/-

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

