

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53302 of 2023

Arising Out of PS. Case No.-93 Year-2020 Thana- ISUAPUR District- Saran

Rajkumar Mahto Son Of Late Singhasan Mahto Resident Of Village- Isuapur,
Ps- Isuapur, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-08-2023 Heard Mr. Jeetendra Narayan, learned counsel

appearing on behalf of the petitioner and learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Isuapur P.S. Case No. 93 of 2020, registered for the
offences punishable under Sections 341,342,323,307,385, 427,
379, 504 r/w section 34 of the Indian Penal Code.

3. Allegedly, while the informant was going to market
on his motorcycle, in the meantime, all the FIR named accused
persons, including the petitioner, intercepted him and assaulted
by means of iron rod due to which he sustained serious injuries.
It is further alleged that the accused persons also snatched cash
and valuables. During assault made by the accused persons, one
of the co-accused was apprehended by the local villagers and



he was handed over to the police.

4. Learned counsel appearing on behalf of the petitioner submits that in fact on account of a dispute with regard to plucking of mango, the family members of both the sides have entered into a scuffle which resulted into injuries to the persons of both the sides. He further submits that there is counter version of the present case being Isuapur P.S. Case No. 94 of 2020 instituted by the wife of the petitioner against the informant and others. He further drew the attention of this Court to the injury report and with reference thereto he submits that all the injuries sustained over the person of the informant are simple in nature, except one which is sustained on the wrist of the injured and obviously the same is not on vital part of the body. He next submits that the petitioner is an old man aged about 65 years having fair antecedent and there is no specific allegation of any overt act against him.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the case and counter case and the fair antecedent of the petitioner, let the petitioner abovenamed be



released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Isuapur P.S. Case No. 93 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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