

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50619 of 2022

Arising Out of PS. Case No.-696 Year-2014 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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HARE KRISHNA MAHTO S/O LATE MAKESHWAR MAHTO Resident of
village- Hussepur Tola, Jagdari, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. ASHOK MAHTO S/O SRI BHOLA MAHTO Resident of village- Hussepur
Tola, Jagdari, P.S.- Sahebganj, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2023 Supplementary affidavit has been filed on dated

12.12.2022 in which it is mentioned that due to typographic
error, section 326 of the Indian Penal Code has been left in
para-1 of the bail petition.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 323, 324,
385, 307, 379/34 & 326 of the Indian Penal Code and Section
27 of the Arms Act.

As per prosecution story, while the complainant was
preparing tea in his shop in the meantime, the petitioner along



with other co-accused persons came there and took tea. When the amount was demanded, the petitioner said that he does not pay anyone. The same was objected by the complainant then the accused persons assaulted him and took Rs. 1500/- from him on pistol point.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Both parties are agnates and due to land dispute, the petitioner has falsely been implicated in this present case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The petitioner had never demanded and took money from the complainant rather general and omnibus allegation leveled against him. It is further submitted that the petitioner is languishing in judicial custody since 6.7.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Complaint Case No. 696 of 2014 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Sub-Divisional Judicial
Magistrate (West), Muzaffarpur.

(Sunil Kumar Panwar, J)

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