

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65687 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- SIMULTALLA District- Jamui

Umesh Mahto @ Kushwaha Son Of Late Faudi Mahto @ Fudi Kushwaha
Resident Of Village - Gadi Telba, P.,S. - Simultalla, District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal (Sr. Adv)
		Mr. Jyoti Ranjan Jha
		Ms. Diksha Kumari
For the Opposite Party/s	:	Mrs.Pushpa Sinha
For the Informant	:	Mr. Rajesh Kr. Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 302 and 120B of the Indian Penal Code.

3. As per the prosecution, the informant's father(now deceased) was assaulted by the co-accused persons by means of tangi, lathi, axe and some other materials on the order of this petitioner due to which he sustained injuries and later on he succumbed to injuries.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no any allegation of assault upon the informant's father against this petitioner, he only gave order to kill the informant's father. Nothing specific allegation has been attributed against the petitioner. Similarly situated other co-accused persons have already been granted bail by this court as well as another co-ordinate Bench of this Court vide order dated 03.07.2023. in Cr. Misc. No. 1920 of 2023, 43693 of 2023 and order dt. 13.07.2022 in Cr. Misc. No. 14295 of 2022. Moreover, the petitioner is languishing in judicial custody since 20.04.2023.

5. Learned APP appearing for the state and learned counsel for the informant have 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 Simultalla P.S. Case No. 56 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.-II, Jamui.

(Sunil Kumar Panwar, J)

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