

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66095 of 2023

Arising Out of PS. Case No.-116 Year-2020 Thana- MANJHAGARH District- Gopalganj

Munna Mahto @ Munna Chauhan S/O- Baliram Mahto Village- Sareya
Akhteyar Nahar Par Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and later on Section 302 of I.P.C. was added.

The prosecution case in nutshell is that petitioner including the co-accused persons, variously armed, came at the field of the informant where altercation is alleged to have taken place on account of construction work being undertaken by the informant's



side. Allegation against the petitioner is that he assaulted the informant by means of Lathi due to which he sustained head injuries. Co-accused Pawan Mahto assaulted the brother and sister-in-law of informant due to which informant's sister-in-law, namely, Sunita Devi succumbed to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is inordinate delay of 3 days in lodging the F.I.R. The allegation of assaulting to Sunita Devi, who succumbed to injuries, is levelled against co-accused Pawan Mahto. From perusal of the impugned order, it appears that injury sustained by the informant is simple in nature, as opined by the doctor. Moreover, the petitioner is languishing in judicial custody since 01.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, Pankaj Mahto, has been granted bail vide



order dated 03.02.2021, passed in Cr. Misc. No. 34991 of 2020 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Manjhagarh (Gopalganj) P.S. Case No. 116 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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