

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68218 of 2022

Arising Out of PS. Case No.-436 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

GAUTAM KUMAR MAHTO @ GAUTAM MAHTO S/O Late Naresh
Mahto R/O Village- Pokharia, Ward No- 38, P.S- Nagar, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shubhesh Pandey, Advocate.
For the State	:	Mr.
For the Informant	:	Mr. Raj Kumar Singh, Advocate.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-04-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner has preferred this application for grant of regular bail in connection with Begusarai Town P. S. Case No. 436 of 2022 dated 22.07.2022 registered for the offences punishable under Sections 326, 307 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner and co-accused persons in connivance with one another fired on the



informant's son which hit in his mouth. Thereafter, the injured was taken to Dr. Ashok Sharma for treatment. It is further alleged that prior to the said occurrence, there was some dispute between the petitioner and the son of the informant due to which the son of the informant set the house of the petitioner on fire.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the injured is also accused in five other criminal cases. It is further submitted that the treatment of the petitioner was done by a private doctor. The petitioner is accused in two other criminal cases which are related to theft as stated in para 3 of the bail petition. The petitioner is in custody since 11.09.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner submitting that the injured sustained grievous injury.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Begusarai Town P. S. Case No. 436 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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