

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67599 of 2022

Arising Out of PS. Case No.-21 Year-2019 Thana- BHAGWANPUR District- Begusarai

Praveen Mahto @ Pravind Mahto @ Praveen Kumar Son of Vasudev Mahto
R/o Village - Tandi, P.S.- Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arjun Prasad, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2023 Heard learned counsel appearing on behalf of the pe-
titioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Bhag-
wanpur P.S. Case No.21 of 2019 registered for the offence under
Sections 147, 149, 302, 307 and 504 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.08.2022.

The allegation against the petitioner is to commit the
murder of the husband of informant alongwith other co-accused
person due to previous enmities, while making an assault with
lathi and *khanthi*.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner has been falsely implicated in the
present case due to previous enmities. It is submitted that as per



F.I.R. deceased/husband of informant arrived home safely and subsequent thereof, an altercation took place where allegation raised against seven accused persons including this petitioner to cause such bodily injuries, resulting death of her husband. It is submitted that nature of allegation is appearing very much general and omnibus against this petitioner without attributing any overt act. It is also submitted that similarly situated co-accused, namely, Shivanand Mahto has already granted bail through Cr. Misc. No. 10346 of 2020 vide order dated 28.02.2020. While concluding the argument, it is submitted that petitioner found involved in three more cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that petitioner actively participated in the occurrence.

In view of the facts and circumstances as mentioned above and by taking note of the nature of allegation, as regard to assault, which is appearing very much general and omnibus against this petitioner coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to



be released on bail in connection with Bhagwanpur P.S. Case No.21 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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