

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.469 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- TEGHRHA District- Begusarai

Baso Mahto, S/O Late Bechan Mahto R/v- Daniyalpur Station Road, Ward
No. 4, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-03-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), if any, as pointed out by the office, within
a period of four weeks from today.

Heard Mr. Randhir Kumar No. 1, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

Application for grant of bail to the petitioner, who is
in custody in connection with Teghra P. S. Case No. 249 of
2022, registered for the offences punishable under Sections
448, 341, 323, 325, 307, 504/34 of the Indian Penal Code.

It is alleged that while the informant was sitting in her
house along with her family members, in the meantime all the
accused persons, including the petitioner, barged into her house
and this petitioner assaulted the informant by



means of a brick due to which she sustained head injury.

Learned counsel appearing on behalf of the petitioner submits that from the FIR it would be evident that both the parties are *gotiyas* and admittedly there is land dispute, apart from there is a counter case filed by the wife of the petitioner being Teghra P.S. Case No. 254 of 2022. He next submits that even from the allegation it appears that no weapon has been used and it is alleged that the informant was assaulted by means of a brick. He further submits that during the course of investigation, no injury report is made available as to whether she sustained grievous injury or simple injury. He lastly submits that the petitioner having fair antecedent is in custody since 04.09.2022 and, moreover, the investigation of the crime is complete.

On the other hand, learned APP for the State opposed the bail application and submits that the specific allegation has been levelled against the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the allegation and the weapon used in the crime, coupled with the fair antecedent and the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Teghra P.S. Case No. 249 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

