

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3822 of 2024

Arising Out of PS. Case No.-473 Year-2023 Thana- MAHUA District- Vaishali

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Pabittar Mahto Son Of Late Bishwanath Mahto Resident Of Village -
Madhaul, P.S. - Mahua, District – Vaishali.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 316, 341, 323, 325,
504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with
another co-accused entered in the house of informant and
assaulted her with wooden, fat, fists and legs and resultantly due
to this, miscarriage took place as the informant was carrying
seven months pregnancy. It is further alleged that the accused
persons assaulted the family members of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner is



brother-in-law of the informant and both are belong to same family due to admitted land dispute the petitioner has falsely implicated in this case. There is general and omnibus allegation against the petitioner and no specific overt act against him. From the perusal of the impugned order, it is apparent that there is no any external injury was found on the person of the informant. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 04.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Mahua P.S. Case No. 473 of 2023.

(Sunil Kumar Panwar, J)

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