

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41561 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- BHADAUR District- Patna

Ramakant Mahto Son of Late Chhathu Mahto Resident of Village- Sildahi,
P.S- Bhadaur, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasen Prasad Singh, Adv

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-09-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Bhadaur P.S. Case No.139 of 2023 for the offences punishable under Sections 147, 148, 149, 323, 325, 307, 504, 506, 354 of the Indian Penal Code lodged on 06.11.2023 by the informant, Puja Kumari.

3. As per the prosecution story, the informant alleged that when her sister was reading, the accused armed variously came, abused and subsequently amongst other this petitioner also gave *Khanti* blow causing injury on the head and hands. When the informant's mother cried and the sisters arrived, they too were assaulted/modesty outraged This followed the FIR.

4. Learned counsel for the petitioner submits that they are agnates, a counter version is also there, due to land



dispute they have been implicated and further the injuries have not been found to be grievous in nature. The last contention is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs.5,000/- (Five thousand) to the informant to be paid through the demand draft in favour of the informant and submit before the concerned Court.

5. Learned APP opposes the prayer stating that the allegation against the accused persons is of assaulting by using Khanti

6. The allegation is there, the petitioner will be facing trial, he has remained in custody since 11.03.2024 (para -17 of the petition) he is 65 years of age and further does not have criminal antecedent, this Court is inclined to extend him the privilege of bail subject to payment of Rs.5,000/- through demand draft in favour of the informant.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Smt. Khushboo Anand, learned Judicial Magistrate, Barh, Patna in connection with aforesaid PS Case subject to the following conditions:



(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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