

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66922 of 2023**

Arising Out of PS. Case No.-92 Year-2021 Thana- SIMULTALLA District- Jamui

Bijay Mahto @ Kushwaha Son Of Ugan Mahto @ Kushwaha Resident Of
Village - Gadhi Telwa, P.S. - Simultala, District - Jamui

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1
For the Informant	:	Mr. Jyoti Ranjan Jha
		Mr. Kusum Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 325, 326, 302, 307, 447, 504 of the Indian Penal Code.

3. As per FIR, the allegation against the petitioner and co-accused persons is that they due to previous land dispute assaulted the informant and his sons due to which Govind Mahto sustained injuries and Mitthu Mahto died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case due to dirty village politics and previous land dispute. There is no specific allegation against the petitioner that he assaulted the deceased and there is general and omnibus allegation levelled against him. The specific allegation of assaulting is levelled against co-accused persons. It is further submitted that the petitioner has got no criminal antecedent. The Postmortem Report is not in consonance with the prosecution version. Similarly situated co-accused has already been granted bail by this Court vide order dated 17.04.2023 passed in Cr. Misc. No. 44072 of 2022. Moreover, the petitioner is languishing in judicial custody since 12.05.2023.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Simultalla P.S. Case No. 92 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned A.C.J.M.-II, Jamui.

(Sunil Kumar Panwar, J)

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