

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81421 of 2023

Arising Out of PS. Case No.-372 Year-2023 Thana- BASANTPUR District- Siwan

Sanjiv Kumar @ Sanjiv Kumar Mahto @ Kali S/O Yogendra Mahto R/O Sani Bagahi, P.S- Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Basantpur P.S. Case No. 372 of 2023, registered for the offences punishable under Sections 341, 323, 324, 326, 307, 379, 385, 354(B), 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, six named accused persons including the petitioner and 10 to 12 unknown accused persons variously armed came to the shop of informant and one Guddu Kumar Mahto made demand of *rangdari*. The accused persons assaulted the informant and his brother and the brother of the informant died to the assault. The specific allegation against the petitioner is that he has given *farsa* blow on the head of Chandra Bhushan Srivastava.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the injury report of the injured Chandra Bhushan Srivastava does not corroborate the allegation against the petitioner and there are lacerated wound only on the body of said injured. He also submits that charge-sheet has already been submitted in this case against the petitioner and there is no chance of absconding or tampering with the evidence. He further submits that similarly situated accused person, namely, Dipesh Kumar @ Dipesh Kumar Mahto has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 24.01.2024 passed in Cr. Misc. No. 1454 of 2024. He also submits that petitioner has no criminal antecedent and he is in jail custody since 25.07.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 A.C.J.M-X, Siwan or Concerned Court Below in connection with Basantpur



P.S. Case No. 372 of 2023.

(Sunil Dutta Mishra, J)

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