

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9859 of 2025

Arising Out of PS. Case No.-226 Year-2024 Thana- BAIRIYA District- West Champaran

Anand Mahto S/O Rameshwar Mahto R/O Vill.- Siswa Saraiya, P.S.- Bairiya,
Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raki Alam, Adv.
For the informant	:	Mr. Umesh Kumar Gupta, Adv.
For the Opposite Party/s	:	Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bail Petition No. 2927/2024 arising out of Bairiya P.S. Case No. 226 of 2024 dated 03.07.2024 registered for the offences punishable u/ss 126, 115(2), 109, 103 read with Section 3(5) of the Indian Penal Code.

3. As per the prosecution case, on 03.07.2024, the petitioner and the co-accused persons are alleged to have come in the Mango orchard of the informant and started plucking the Mango which was forbidden by the informant's son Sahabuddin Gaddi then the petitioner slammed Sahabuddin Gaddi on pucca



road and the co-accused, Virendra Mahto assaulted him with iron rod causing injury to him. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner rather the specific allegation of assaulting with iron rod on Sahabuddin is against the co-accused, Birendra Mahto. Nothing has been recovered from the conscious possession of the petitioner. The charge-sheet has been submitted against the petitioner. As per the Post-mortem report of the deceased, the injury was found on the person of the deceased and the cause of death is due to said injury caused by hard and blunt object. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.07.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 226 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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