

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87164 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- TERHAGACHH District- Kishanganj

Munna Mahto @ Lalji Mahto Son of Late Rama Mahto Resident of Village -
Damariya, PS- Terhagachh, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Terhagachh P.S. Case No. 02 of 2021, instituted for the offences punishable under Sections 341, 323, 448, 427, 325, 307, 380, 504, 506, 509/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons entered the house of the informant for committing loot and on protest they assaulted the informant and his family members. It is further alleged that the petitioner has assaulted the pregnant daughter-in-law of the informant by means of leg upon her abdomen due to which she became unconscious.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that no specific allegation has been attributed against the petitioner. There is general and omnibus allegation levelled against all the accused persons. The petitioner is in custody since 08.10.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Terhagachh P.S. Case No. 02 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(IV) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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