

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26881 of 2015

Arising Out of PS.Case No. -120 Year- 2014 Thana -BABUBARHI District- MADHUBANI

Ashok Mahto Son of Uttim Lal Mahto, resident of Village-basaha, P.S. Babubarhi, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Asha Devi (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 28-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 09.10.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 326 and 307 of the Indian Penal Code. Subsequently, section 302 IPC was also added.

The prosecution case is that 11 persons came variously armed when Parsuram Yadav assaulted Ramchandra Mahto with Garasa on the head, Rajdeo Yadav assaulted Ram Prasad Mahto with Farsa on the head, Rambabu Yadav assaulted Jamun Prasad Yadav, Rameshwar Yadav assaulted Umda Devi and Feku Yadav assaulted Radhey Yadav with stick on the head when Ram Prasad Yadav succumbed to the injury

during treatment. It is alleged against the petitioner that he put chilly powder in the eyes of the informant.

It is submitted by learned counsel for the petitioner that the accusation of assault is not against the petitioner and assailants have been granted bail vide Cr. Misc. Nos. 876 of 2015 and 11276 of 2015. Moreover, the investigation has already concluded.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Madhubani in connection with Babubarhi P.S. Case No. 120 of 2014.

(Dinesh Kumar Singh, J)

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