

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16184 of 2015

Arising Out of PS.Case No. -54 Year- 2014 Thana -PAHARPUR District- EASTCHAMPARAN
(MOTIHARI)

=====

Sanjay Mahto Son of Amar Mahto, resident of Village- Balua Briti Tola,
P.S.- Paharpur, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party: Mr. Ajay Kumar No.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-06-2015 The petitioner is languishing in custody since 01.11.2014

in connection with Paharpur P.S. Case No. 54 of 2014 for the

offences instituted under Sections 147, 148, 149, 341, 323, 302,

324, 307 read with Section 34 of the Indian Penal Code.

Heard learned counsel for the petitioner and learned

counsel for the State.

The prosecution story, in brief, is that on 08.04.2014 at

about 2 P.M. while the informant along with his family members

was constructing a hut, his villagers including the petitioner armed

with lathi, farsa and Danda came there and started abusing and

also prohibited them from constructing the hut. When the father of

the informant told that he is constructing the hut on his own land

on which, on the order of Mani Prasad, Binod Prasad gave frasa

blow to the father of the informant causing injury behind the eye.

In the meantime, Mani Prasad got him fell down and thereafter Vindhyachal Mahto fired three rounds in air from his country made pistol. Thereafter Vindhyachal Mahto and Amar Mahto assaulted the father of the informant with stones. When the mother of the informant, cousin and brother came to save, they have also been assaulted by the accused persons. The father of the informant and other injured went to Paharpur Hospital from where they have been referred to Sadar Hospital where the father of the informant died during course of his treatment.

It has been submitted on behalf of the petitioner that there is no allegation of assault upon the victim and the petitioner is said to be a member of the unlawful assembly and the main allegation of assault is against Binod Prasad co-accused.

On behalf of the State it has been submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances of the case, 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 Sri R. Kumar-IV, Judicial Magistrate, Motihari, East Champaran in Paharpur P.S. Case no. 54 of 2014.

B.T/-

U		T	
---	--	---	--

(Sudhir Singh, J)