

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39436 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Ashok Mahto @ Laddu Mahto son of Late Bishun Dayal Mahto resident of
Village - Baunoriya, Police Station - Nautan, District - West Champaran at
Bettiah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 341, 323, 324, 325, 307, 379 and 504 of
the Indian Penal Code.

Allegation against the petitioner is that he inflicted
faththa blow on the head of the informant, as a result his head got
fractured. Petitioner also inflicted Astur upon the son of the
informant and he sustained injury on his left hand.

It has been submitted on behalf of the petitioner that he
has go no criminal antecedent. He is in custody since 12.6.2015.
Chargesheet has been submitted in the case. There is no allegation
of tampering of evidence against the petitioner. As per
prosecution case, it is alleged that the deceased was assaulted by
razor on his head. From perusal of the post mortem examination
report it would appear that deceased had injury of hard and blunt
substance. Further, the doctor has noted that the above injury is
not sufficient to cause death and he has opined that death is due to

heart disease.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R. and there is specific allegation of assault against the petitioner.

Considering the aforesaid facts and circumstances of the case and in view of the fact that post mortem examination report does not support the allegation made in the F.I.R., let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, West Champaran, Bettiah, in connection with Nautan P.S. Case no.130 of 2015.

(Sudhir Singh, J)

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