

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37823 of 2015

Arising Out of PS.Case No. -102 Year- 2014 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

=====

Sheonath Mahto Son of Late Jagarnath Mahto

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Ravindra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-09-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 302, 201/34 of the
Indian Penal Code.

The prosecution case is that the accused persons being
the agnates in the background of land dispute came at the door of
the informant on 30.04.2014, called the husband of the informant
and started abusing, when protest was made co-accused Subodh
Mahto assaulted the husband of the informant with 'farsa' on his
neck and thereafter Subodh Mahto repeated the blow. On seeing
the blood, the informant got unconscious. The dead body of the
husband of the informant was burnt by the accused persons.

It is submitted by learned counsel for the petitioner that in the background of land dispute the occurrence took place when the specific accusation of assault is only against co-accused Subodh Mahto. The petitioner has been roped in the present case since he is agnate of the informant and there had been land dispute between the parties. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, similarly situated co-accused Chandrika Mahto and Anr. have been granted anticipatory bail vide Criminal Miscellaneous No.20548 of 2015.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah in connection with Chanpatia (Sirisia) P.S. Case No.102 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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