

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8989 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -SAKARPUR District- DARBHANGA

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1. Ramu Mahto
 2. Binod Mahto,
 3. Sushil Mahto, All accused are sons of Late Suryanarayan Mahto,
Resident of Kakoda, P.S. - Sakatpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. L.K. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-04-2016 Heard the learned counsel for the petitioners as well
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 341, 323, 324, 326, 307, 504 and 506/34 of the I.P.C

Allegedly, for making construction of the house the petitioners and other co-accused started abusing the informant, the petitioner Binod Mahto gave rod blow but that did not hit and in the meantime co-accused Shayam Mahto gave knife blow in the stomach of the informant at the three places and after hearing the sound of alarm Vijay Mahto and Gauri Shankar Mahto came to rescue then the petitioner Ramu Mahto assaulted Vijay Mahto

with knife and Gauri Shankar Mahto was assaulted by the petitioner Sushil Mahto by Tengari on his head and further petitioner Binod Mahto also assaulted Gauri Shankar Mahto with sickle.

Submission is of false implication and that the prosecution version, as alleged, is not the true version, the informant had received no injury, due to the land dispute the occurrence has taken place, the doctor has found all the injuries simple in nature and moreover for causing injury with sharp cutting weapon i.e. knife that is against co-accused Shayam Mahto, there is case and counter case and the petitioners are suffering in custody since 23.11.2015.

The learned A.P.P. opposes prayer for bail by submitting that multiple injuries with sharp cutting weapon were caused and the opinion has been kept reserved of the injured Arun Kumar Mahto.

In the facts and circumstances as stated above, the petitioners shall be released on bail, **after completion of six months in custody**, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Darbhanga in Sakatpur P.S. Case No. 74 of 2015, subject to the conditions that one of the bailors must be a

near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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