

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47281 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -SHAHKUND District- BHAGALPUR

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Tanej Mahto son of Sri Yogendra Mahto resident of village/Mohalla-
Belthu, P.s- Shahkund, Distt.-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-385, 379, 307 & other minor sections of the Indian Penal
Code.

Petitioner and nine others are named in the first
information report with allegation that they assaulted the
informant as well as his brother as the informant failed to cough
up extortion money but submission on behalf of petitioner is that it
was prosecution party, who assaulted the co-accused Ranjeet
Mahto as well as his family members for which, co-accused
Ranjeet Mandal lodged Shahkund P.S. Case No. 33 of 2016. It is
further submitted that co-accused Ranjeet Mahto having more or



less similar allegation, has already been granted privilege of bail by a coordinate bench of this court vide order dated 08-12-2016 passed in Cr. Misc. No. 53094 of 2016 whereas; the petitioner is languishing in jail custody since 16-07-2016.

No doubt, the informant's brother sustained grievous injury on his head but it is not specific, who caused the aforesaid injury. Moreover, persons from both sides sustained injury and it appears that a free fight had taken place between the parties.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Shahkund P.S. Case No. 34 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur.

(Hemant Kumar Srivastava, J)

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