

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17046 of 2017**

Arising Out of PS.Case No. -110 Year- 2016 Thana -KEOTI District- DARBHANGA

=====

Shambhu Mahto, son of Raju Mahto, resident of Village- Behatwara, Police  
Station- Keoti and District- Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

2      03-05-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Keoti  
P.S. Case No. 110 of 2016 registered for the offences punishable  
under sections 341, 323, 379, 354, 307, 504, 506 and 34 of the  
Indian Penal Code.

The allegation against the petitioner is that he  
assaulted Babu Lal Mahato, son of the informant with rod on his  
head resulting head rupture and bleeding started and when he fell  
down then also petitioner and others assaulted him with fists and  
slap.

Submission is false implication and that occurrence



has taken place due to dispute between two children of the informant, Babu Lal Mahato has received injury due to fall on the road. There was no intention to commit murder so offence under section 307 on the petitioner is not made out. The doctor has wrongly given opinion of the injury as grievous. The petitioner is suffering in custody since 25.01.2017 and, as such, now deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Darbhanga, in connection with Keoti P.S. Case No. 110 of 2016, 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

