

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45885 of 2017

Arising Out of PS.Case No. -278 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Rambhu Mahto Son of Late Mathkuri Mahto,. resident of Village- Parsauni,
P.S. Bairstania, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 19-09-2017 Heard learned counsels for the petitioner, informant
and APP for the State.

The petitioner seeks bail in connection with Bairstania
P.S. Case no. 278 of 2016 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

The petitioner and other accused persons are said to
have assaulted the informant, her uncle-in-law and her husband by
means of rod and bamboo over refusal by the informant to unload
the articles of the accused Prabhu Mahto and husband of the
informant succumbed to his injury during the course of treatment.

It is submitted by the learned counsel for the
petitioner that the allegation levelled against the petitioner is not
specific rather omnibus. Doctor has found single injury on the



person of the deceased as cause of death. Co-accused Shiv Shankar Mahto and Arjun Mahto have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 20.06.2017 passed in Cr. Misc. no. 20236 of 2017 and order dated 04.08.2017 passed in Cr. Misc. no. 34976 of 2017. The case of this petitioner stands on similar footing. The petitioner has been languishing in custody since 06.07.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 278 of 2016.

(Prakash Chandra Jaiswal, J)

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