

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58880 of 2017**

Arising Out of PS.Case No. -285 Year- 2017 Thana -GARKHA District- SARAN

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Sharawan Mahto, S/o Bhagwat Mahto, resident of Village Bagwani, P.S.  
Garkha, Distt.- Saran at Chapra.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner : Mr. Vijay Kumar, Advocate  
Ms. Rajani Kumari, Advocate  
For the State : Smt. Sharda Kumari, APP  
For the Informant : Mr. Manoj Singh, Advocate

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      15-12-2017

Heard learned counsel for the petitioner and the  
learned counsel appearing on behalf of the State as well as the  
learned counsel for the informant.

The petitioner is in custody since 21.08.2017 in  
connection with Garkha P.S. Case No.285 of 2017 registered  
for the offence under Section 302/34 of the Indian Penal  
Code.

Learned counsel for the petitioner submits that  
there is an allegation that the petitioner has participated in the  
occurrence, which had occurred on account of petty squabble,  
which arose during the play between the two children and the  
petitioner is said to have been part of the member of the



crowd which had collected there. It is further submitted that the post-mortem report also reveals no internal or external injury and the deceased is said to have died a natural death as he was 70 years of age. Learned counsel for the petitioner has referred to the order passed in Cr.Misc. No.52482 of 2017 dated 12.12.2017, by which one of the co-accused, namely, Dinesh Mahto, has been extended the privilege of anticipatory bail.

In view of the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in connection with Garkha P.S. Case No.285 of 2017.

**(Anjana Mishra, J)**

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