

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.807 of 2017

Arising Out of PS.Case No. -201 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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RAKESH MAHTO, SON OF PRAJAPATI PRASAD, RESIDENT OF
VILLAGE- MIRCHAK, P.S.- WARISALIGANJ, DISTRICT- NAWADA.

.... APPELLANT/S

VERSUS

THE STATE OF BIHAR.

.... RESPONDENT/S

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Appearance :

For the Appellant/s : Mr. Deepak Kumar
For the Respondent/s : Mr. Smt Usha Kumari No-1
For the Informant : Mr. Ansul, Adv.
Mr. Anuj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2. **20-04-2017** Heard learned counsel for the appellant as well as learned Special Public Prosecutor along with learned counsel for the informant.

There was scuffle in the background of land dispute amongst the parties during course of which Sheela Kumari, sister of informant was assaulted. Ajay Kumar, deceased, a police personnel who was there intervened to save his sister Sheela Kumari whereupon, on an order of Manoj, Pappu shot at as a result of which he died.

Appellant happens to be under custody since 27.09.2016 on account thereof, appellant **Rakesh Mahto** is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned SDJM, Nawada in connection with Warisaliganj P.S. Case No.201/2016 setting aside the order dated 13.02.2017 passed in B.P. No.106 of 2017 / 04 of 2017 by First Addl. Sessions Judge-cum-Special Judge, Nawada.



Accordingly, appeal is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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