

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.828 of 2017**

Arising Out of PS.Case No. -168 Year- 2015 Thana -SALKHUA District- SAHARSA

=====

Vijay Mahto, son of Nago Mahto, resident of village-Sahuriya (Basahi)  
Kachahari Tola, P.S. Salkhua, District - Saharsa

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

=====

**Appearance:**

For the Appellant/s : Mr. Pramod Mishra

For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR**  
**TRIVEDI**  
**ORAL ORDER**

4      03-05-2017      Heard learned counsel for the appellant as well as learned  
Special P.P.

On account of an altercation having taken place in between Sagar Mahto and informant Sudhir Sada over grazing of crops, it has been alleged that other accused persons including the appellant armed variously came and on the order of Sagar Mahto, Soma Mahto caught hold the informant and Sagar Mahto gave spade blow causing injury over left shoulder while appellant has given sickle blow over his stomach.

From the order impugned, it is evident that two injuries have been found over the person of the informant and injury no. 1 incised punctured wound on right side of mid abdomen 3 3/4 x 1 1/8" x 1" though has been found simple but dangerous to life.



Learned counsel for the appellant has submitted that case has been compromised. It has also been submitted that appellant happens to be under custody since 30.12.2016, so he be released on bail.

Learned Special P.P opposed the prayer.

Considering the nature of injury having sustained by the informant caused at the hand of the appellant, prayer for bail is rejected. Consequent thereupon, appeal is dismissed. If so advised, appellant may renew prayer after examination of the informant.

**(Aditya Kumar Trivedi, J)**

S.Sb/-

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