

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34931 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -KAMTAUL District- DARBHANGA

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1. Satya Narain Mahto @ Satya Narain Kumar Mahto Son of Chandeshwar Mahto, R/o Village- Ratanpur, P.S.- Kamtaul, Distt.- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Singh

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 11-08-2017 Heard both sides.

The petitioner apprehends his arrest in Kamtaul P.S. case No. 57 of 2017 for the offences punishable under Section 354, 379 and other Sections of the Indian Penal Code.

The informant alleged that wife of his younger brother and daughter-in-law were quarreling with the wife of informant and they were assaulting her. Krishna Mohan Mahto, son of his brother, was cutting wood and when the informant went to save Krishna Mohan Mahto assaulted the informant with axe on his head. The petitioner, Chandeshwar Mahto and others alleged to have assaulted the informant.

The learned counsel for the petitioner submits that there is no specific allegation of assault against the petitioner.



There is counter version being Kamtaul P.S. case No. 58 of 2017. Bimal Mahto got as many as three injuries but two injuries are abrasions and injury No.1 found on left parietal region is attributed to Krishna Mohan Mahto. The injuries are simple in nature

Considering the facts that on account of some petty dispute members of two families entered into scuffle with each other and there is no specific allegation of assault against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. case No.57 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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