

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.296 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -EKMA District- SARAN

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Santosh Mahto, S/o Ram Chandra Mahto, resident of Village- Bhundhari,
P.S. Ekma, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar. null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Ekma P.S. Case No.122
of 2016 instituted for the offence under Section 302 and 34 of the
Indian Penal Code.

It is alleged in the written report that this petitioner
assaulted the mother of the informant on head with wooden log of
the cot, on account of which, she sustained injury and became
unconscious. Thereafter, she was brought to Primary Health
Centre for treatment where she was declared dead.

Learned A.P.P. has submitted that all the witnesses
in the case diary have levelled specific allegation against this
petitioner. The doctor has found in the post-mortem report a
lacerated wound in right parietal region bone deep. On dissection



fracture of right parietal was found along with clotted blood in cavity.

Learned A.P.P. further submitted that in inquest report also injury on the head has been found.

In such circumstances, the petitioner is the main assailant in this case. Therefore, this court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

(Sanjay Priya, J)

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