

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34487 of 2017

Arising Out of PS.Case No. -278 Year- 2016 Thana -BARGANIA District- SITAMARHI

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1. Prabhu Mahto So of Late Bilahs Mahto, R/o Village- Parsauni, P.S.-
Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2017 The petitioner seeks regular bail in connection with

Bairgania P.S. Case No. 278 of 2016, registered for offences

punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner that he along with other

accused assaulted the deceased and uncle of the informant.

It has been submitted on behalf of the petitioner that no

allegation has been attributed against the petitioner on assault on

the deceased rather he assaulted the uncle of the informant and

injuries caused on the injured was found to be simple in nature,

which will appear from Annexure – 4 of the bail petition. Further

co-accused persons already been granted bail by this Court vide

order dated 20.06.2017 passed in Criminal Miscellaneous Nos.

20236 of 2017 and 19686 of 2017 and petitioner has been in



judicial custody since 18.12.2016.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the petitioner has also assaulted the deceased.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi (Bihar) in connection with Bairganja P.S. Case No. 278 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reasons, the
prosecution is free to move for cancellation
of his bail.

(Vinod Kumar Sinha, J)

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