

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18789 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Manoj Mahto, Son of Rama Mahto, resident of Village- Olaha Mishra
Tola, Police Station- Harsidhi, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 15-05-2017 Heard both sides.

The petitioner seeks bail in Harsidhi P.S. case No. 15
of 2017 under Section 302/34 of the Indian Penal Code.

The informant alleged that his sister was living in her
house along with her children but her brother-in-law and other
family members used to quarrel with her for partition of the
property. The accused persons including the petitioner assaulted
his sister. Consequently, his sister died.

The learned counsel for the petitioner submits that
informant is not an eye witness of the occurrence. During the
course of investigation, the witnesses in paragraphs 21 and 22 of
the case diary disclosed that there was some verbal altercation



between the deceased and petitioner, Manoj Mahto, for getting admission of her daughter in the school. The mother-in-law also intervened but the deceased wanted to assault her. On such, the petitioner pushed her and the deceased fell down. The deceased died in the night while she was sleeping. Similar is the statement of child of the deceased.

Considering the facts aforesaid that on account of some altercation the petitioner is alleged to have pushed the deceased and consequently she got injuries, the above named petitioner 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 the learned Chief Judicial Magistrate, East Champaran at Motihari in Harsidhi P.S. Case No. 15 of 2017.

(Prabhat Kumar Jha, J)

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