

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54774 of 2017

Arising Out of PS.Case No. -221 Year- 2017 Thana -SAHEBGANJ District- MUZAFFARPUR

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Prasad Mahto, Son of Late Mukhlal Mahto, Resident of village – Rampur
Asli, P.S.-Sahebganj, District – Muzaffarpur, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

3 15-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sahebganj P.S. Case No.
221 of 2017 registered under Sections 143, 341, 323, 324, 325,
307, 504 and 379 of the Indian Penal Code.

Petitioner along with three accused persons are said
to have assaulted the mother of the informant by means of lathi
inflicting injury on her head and breast and braking her teeth.

It is submitted by learned counsel for the petitioner
that the allegation levelled against the petitioner is not specific
rather omnibus. Though the accused persons are said to have
assaulted the victim by means of lathi, but the said allegation is
not corresponding to the injury found by the doctor on the person



of the victim as the doctor has found two incised wound on the head of the deceased besides swelling and tenderness on hip and hand. The injury nos. 3 and 4 are said to have been caused by the hard and blunt substance, but the said injuries are not on the vital part of the person of the deceased. The petitioner has been falsely implicated in this case in order to mount pressure upon him to grab his land located in front of the house of the informant. The petitioner has been languishing in custody since 10.09.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I (West), Muzaffarpur in connection with Sahebganj P.S. Case No. 221 of 2017.

(Prakash Chandra Jaiswal, J)

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