

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59789 of 2018

Arising Out of PS. Case No.-159 Year-2018 Thana- KAUWAKOL District- Nawada

Shailendra Mahto @ Shailendra Kumar Son of Surajdeo Mahto Resident of
Village- Sheshodra P.S. Kowalkole District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323,307,324,379,504 and 506 of the IPC.

The prosecution case as per Anirudh Kumar dated 18.7.2018, submitted to the SHO, Kawakole Police Station, is to the effect that on 15.7.2018 at 7 A.M. the informant and his mother Malti Devi were going to throw garbage, when the accused persons who were waiting from before asked her to stop, but when she did not stop, the petitioner assaulted with Farsa causing cut injury on the neck of the mother of the informant.

It is submitted by learned counsel for the petitioner that the injury has been found on the right shoulder simple in nature.



There is no accusation of repeating the blow. Petitioner is the agnate of the informant and in the background of pending Title Suit No. 258 of 2017, the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the accusation levelled in the background of pending land dispute and the injury has been found simple, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Nawada in connection with Kawakole P.S. Case No.159 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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