

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50321 of 2018

Arising Out of PS.Case No. -270 Year- 2015 Thana -MARHAURA District- SARAN

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1. Gupta Mahto @ Binod Kumar Mahto, Son of Late Mohan Mahto,
Resident of Village- Tehti, Bind Toli, Police Station- Marhowrah, District-
Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under
Sections- 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the background of a
dispute regarding irrigation of land, the accused persons are
alleged to have fired upon the father of the informant as a result of
which, informant's father succumbed to the injuries.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 22-05-2018 and the petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge sheet has already
been submitted in this case. The main allegation of assault is



alleged against co-accused namely Lal Bihari Mahto. There is no overt act alleged against the petitioner nor any injury has been caused upon the deceased by this petitioner. The petitioner is said to be a member of unlawful assembly.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Saran at Chapra in connection with Marhowrah P.S. Case No. 270 of 2015.

(Sudhir Singh, J)

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