

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75220 of 2018

Arising Out of PS. Case No.-579 Year-2016 Thana- HILSA District- Nalanda

Naval Mahto @ Naval Kishor Prasad Son of Bhagwat Mahto, Resident of
Village- Malbiga, Police Station- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 18.2.2018 in a case registered for the offences punishable under Sections 341, 313 and 307/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Dhiraj Kumar dated 13.11.2016 submitted to the SHO, Hilsa Police Station is to the effect that on the same day at 7.30 P.M., when the informant's wife, namely Anju Devi along with his aunt Suman Devi went to ease out, on the order of co-accused Ramdhani Mahot, the petitioner assaulted the aunt of the informant with the butt of the gun on her head. The injury was found to be grievous.

It is submitted by learned counsel for the petitioner that



the petitioner is the agnate of the informant. It is further submitted that in the background of land dispute and series of litigations between the parties from before, the accusation has been levelled. There is no accusation of repeating the blow.

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

Considering the fact that there is no accusation of repeating the blow and the accusation has been levelled in the background of land dispute and series of litigation between the parties, the investigation has already been concluded, coupled with the period under custody, let the petitioner above named be released 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 Ist ACJM, Hilsa, Nalanda in connection with Hilsa P.S. Case No.579 of 2016.

(Dinesh Kumar Singh, J)

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