

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42880 of 2019

Arising Out of PS. Case No.-397 Year-2018 Thana- SIKARPUR District- West Champaran

Jitendra Mahto, aged about 35 years, Gender (Male), S/o Bhuti Mahto R/o
village- Dhala Pakari, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Shikarpur P.S. Case No. 397 of 2018 registered under
sections 147, 148, 149, 323, 324, 325, 307 and 504 of the I.P.C.

The allegation against the petitioner, as per first
information report is that the petitioner assaulted the husband of
the informant by means of *Garasa* on his head.

Learned counsel appearing for the petitioner submits
that both the parties are co-sharers and there is land dispute
between them. Learned counsel referring to Annexure-2 submits
that the allegation against the petitioner as per first information
report is that he assaulted the husband of the informant by
means of *Garasa* which is a sharp cutting weapon but from
perusal of Annexure-2 which is injury report of the husband of



the informant, it would be evident that the injury caused to the husband of the informant is from hard and blunt substance. Learned counsel further submits that altogether 8 persons have been made accused but the police has submitted charge sheet against three persons only.

Having regard the submission made by the parties and taking into consideration the fact that the allegation against the petitioner is not corroborated as per the injury report and both the parties are co-sharers, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon 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, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 397 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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