

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59188 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- TARAIIYA District- Saran

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AMIT KR. MAHTO @ AMIT KUMAR MAHTO, aged about 30 years, G-Male, Son of Mokhatar Mahto, Resident of Village - Dih Chhapiya, P.S.- Taraiya, Distt - Saran at Chhapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Kumar Binode Bariar, Advocate.

For the Opposite Party : Mr.Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 16.03.2019 around 7.00 P.M., the accused were taking away his bundles of grass. When his father Birendra Mahto forbade, accused started assaulting him with Lathi and rod. On hue and cry when the people gathered, accused persons fled away. His father was taken to P.H.C. Mashrak, from where he was referred to Sadar Hospital, Chapra and from there to P.M.C.H., Patna where he succumbed to his injuries on 23.03.2019 during treatment.

It has been submitted by learned counsel for the



petitioner that the petitioner is languishing in custody since 03.07.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific injury is attributed against the petitioner. Except for this there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R. The statement made on behalf of the petitioner is not controverted by either of the parties.

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 the learned A.C.J.M. 1,Saran at Chapra, in connection with Taraiya P.S. Case No. 96 of 2019.

(Sudhir Singh, J)

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