

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59681 of 2018

Arising Out of PS. Case No.-269 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Jitendra Mahto, S/o Bashudeo Mahto, R/o Vill.- Rachiyahi, Dhobi Tola, P.S.-
Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 07-01-2019 Heard learned counsels for the petitioner, informant
and learned APP for the State.

The petitioner is languishing in custody since
24.05.2018 in a case registered for the offences punishable
under Sections 341/323/307/504/34 of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case is that on 22.05.2018 at 7.00
P.M., the petitioner and other accused persons came and
started abusing the informant. On protest being made, the
accused persons started assaulting the informant when
daughter of the informant Reena Kumari came to rescue, on
the order of co-accused, Basudeo Mahto, the petitioner
resorted to fire on the informant, but it accidentally hit on the
right hand of the daughter of the informant.



It is submitted by learned counsel for the petitioner that the petitioner is the agnate of the informant and in the background of land dispute, the accusation has been levelled. The injury report suggests a sharp cut injury on the right forearm of the daughter of the informant. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State and the informant however submits that the accusation of firing is against the petitioner. The report of the learned Court below reflects that the case has still not committed to the Court of Sessions.

Considering the accusation being not corroborated by the medical opinion, and there is no likelihood of trial being concluded in near future, let the above named petitioner 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 learned CJM, Begusarai, in connection with Muffasil (Singhaul) P.S. Case No.269 of 2018.

(Dinesh Kumar Singh, J)

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