

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13111 of 2020**

Arising Out of PS. Case No.-439 Year-2019 Thana- KORHA District- Katihar

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RANJIT MAHTO Son of Maheshwar Mahto Resident of Village - Rajiganj,
P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 13151 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- KORHA District- Katihar

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MAHESHWAR MAHTO Son of Late Ram Kishun Mahto Resident of Village
- Rajiganj, P.S. - Korha, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 13111 of 2020)

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

(In CRIMINAL MISCELLANEOUS No. 13151 of 2020)

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 03-03-2020

Heard both sides.

The petitioners seek bail in Korha P.S. Case No.439 of 2019 registered under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

The wife of the injured alleged that when her husband, Rambhajan Mahto along with Hare Ram Mahto came near the house of Maheshwar Mahto(the petitioner of Cr. Misc. No.13151 of 2020), Maheshwar Mahto, Ranjit Mahto(petitioner



of Cr. Misc. No.13111 of 2020), Anita Devi assaulted her husband with iron rod. Hare Ram Mahto went to save but the accused persons continued to assault the husband of the informant. It is further alleged that the villagers on account of such incident assaulted Maheshwar Mahto. The occurrence took place due to long standing land dispute.

The learned counsel for the petitioners submits that there is a counter version being Korha P.S. Case No.440 of 2019. The husband of the informant got three injuries out of which two injuries are simple in nature and opinion with regard to injury no.1 is kept reserved. The informant did not allege that who is the author of injury no.1.

Considering the fact that there is a case and counter case and on account of land dispute both sides appeared to have engaged in mutual assault with each other, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No.439 of 2019.

(Prabhat Kumar Jha, J)

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