

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85871 of 2019**

Arising Out of PS. Case No.-82 Year-2019 Thana- KHANPURA District- Samastipur

Ram Pramod Mahto, S/o Tej Narayan Mahto R/o village- Bujrugduar, P.S.-
Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

For the Opposite Party/s : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 18-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks regular bail in connection with
Khanpur P.S. Case No.82 of 2019, registered for the offence
punishable under Sections 307, 323, 324, 337, 341, 34 of the
Indian Penal Code.

The allegation against the petitioner as per First
Information Report is that when the informant went to marriage
ceremony near his house at about 12:30 A.M. in the night, the
petitioner assaulted him by means of spade on his head causing
him head injury.

Mr. Ajay Kumar Thakur, learned counsel appearing for
the petitioner submits that petitioner has not committed any
offence in the manner alleged inasmuch as from the injury report
of the informant, it would be evident that though doctor has



described the injury as grievous but the weapon used for assaulting the informant has not been ascertained by the doctor. Learned counsel further submits that from perusal of the First Information Report as well as Annexure-2 series, it would be evident that there is land dispute between the parties and the informant has sustained injury somewhere else. Learned counsel further submits that subsequently mother of the petitioner has been murdered by the side of the informant for which Khanpur P.S. Case No.117 of 2019 under Section 302 has been lodged by the side of the petitioner and the petitioner is in custody since 05.11.2019.

After having heard learned counsel for the parties and taking into consideration the fact that there is land dispute between the parties and both the parties are neighbours and the petitioner is in custody since 05.11.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Samastipur, in connection with Khanpur P.S. Case No.82 of 2019.

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(Anil Kumar Sinha, J)

