

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3390 of 2020

Arising Out of PS. Case No.-133 Year-2018 Thana- ROH District- Nawada

MANTU KUMAR S/o Kedar Mahto Resident of Village- Roh, P.S.- Roh,
Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance

For the Petitioner : Mr. Rewati Kant Raman, Advocate

For the State : Mr. Anand Mohan Prasad Mehta, APP

For the informant : Mr. Bipin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-05-2020 Heard learned counsel for the petitioner, learned A.P.P for the State and learned counsel for the informant, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Roh P.S. Case no. 133 of 2018 registered under sections 307, 341, 323, 504 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R., on the father of the informant reaching the place of occurrence the accused persons including the petitioner herein are stated to have assaulted the informant's father with lathi. It is further stated that as a result of the lathi blow given by the petitioner, the informant's father



started to bleed from head over his left eye and fell down unconscious. He was taken to the hospital for treatment. It is stated that the cause of occurrence is partition. He subsequently died in course of treatment.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and the petitioner has been falsely implicated because of land dispute between the parties. There is no injury on the head of the informant's father. For the occurrence which took place on 14.11.2018, F.I.R. was registered on 17.11.2018 and informant's father died in course of the treatment on 6.12.2018. The petitioner has no criminal antecedent and is in custody since 17.10.2019.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts stated above together with the fact of their being land dispute between the parties as stated in the F.I.R, the petitioner being in custody since 17.10.2019 and having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Roh P.S. Case no. 133 of 2018 on furnishing bail bond of Rs.10,000/- with two sureties of the like



amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate IVth, Nawada.

(Partha Sarthy, J)

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