

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11787 of 2021**

Arising Out of PS. Case No.-428 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Indal Mahto @ Indal Mahton, Gender- Male, aged about 35 years, Son of
Doman Mahto, Resident of Village - Paharchak, Ward No. 27, 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. Amit Narayan, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 24-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

The informant, Ladli Kumari, daughter of the
deceased alleged that when her two years old nephew, while
playing, caught the *Taat* of Azad Mahto, female members of the
house started abusing. When Khusboo Devi, the mother of the
child, protested, Azad Mahto and Indal Mahto started assaulting
the father of the informant with fists and slaps in his chest and
stomach and on account of assault her father died.



Learned counsel for the petitioner submits that the parties are *Gotiyas* and there is land dispute between them. Allegation against the petitioner is that the petitioner along with the co-accused assaulted the father of the informant by fists and slaps and consequently the father of the informant, Tuntun Mahto died, but the postmortem report shows no definite cause of death. However, viscera was preserved for further clarification. The petitioner is in custody since 04.10.2020 and he has got no criminal antecedent as mentioned in para 3 of the bail petition.

Considering the facts and circumstances of the case, let petitioner, above named, be released on bail, **after framing of the charge**, by the learned court below on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Muffasil P.S. Case No.428 of 2020.

(Anjani Kumar Sharan, J)

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