

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13979 of 2021

Arising Out of PS. Case No.-449 Year-2019 Thana- MADHAURAH District- Saran

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Sharma Mahto aged about 30 years (Male) Son of Late Ramayan Mahto
Residence of Village - Tehati, Bintoli, P.S.- Madhowrah, Distt.- Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rajani Kumari

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Madhowrah P.S. Case No. 449 of 2019, registered for the offence under Sections 341, 323, 325, 307/34 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have inflicted knife blow on the head of the informant.

It is submitted on behalf of petitioner that due to land dispute between the parties and petitioner has been falsely implicated in this case. Petitioner is none else but step-brother of the informant. There are series of litigation between the parties. Petitioner is in custody since 20.10.2020. Chargesheet has already been submitted.

However, learned A.P.P. for the State has opposed the bail petition and submitted that the injury caused by the



petitioner has been found to be grievous in nature by the doctor.

Considering the rival submissions of the parties and the materials available on record as well as period of custody and the fact that the occurrence took place between the parties due to land dispute and chargesheet has already been submitted, the bail petition of petitioner is allowed. 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 C.J.M., Saran at Chapra in connection with Madhowrah P.S. Case No. 449 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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