

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18808 of 2021**

Arising Out of PS. Case No.-328 Year-2020 Thana- JOGAPATTI District- West Champaran

Gandhi Mahto Son Of Late Raj Nath Mahto @ Raghunath Mahto R/O
Village- Dularpatti, P.S.- Yogapatty (SANICHARI), District- West
Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.A.G

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

2 09-07-2021 Heard learned counsel for the petitioner, the State and the
informant .

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under section 307 and
other ancillary sections of the Indian Penal Code.

As per the prosecution case, the petitioner is alleged to
have given farsa blow on the head of the informant causing
head injury.

Learned counsel for the petitioner submits that the parties
are agnate and due to land dispute altercation took place



between the parties in which both sides sustained injuries and the case filed by the petitioner is prior to the instant case. Petitioner claims clean antecedent and he is in custody since 28.11.2020.

Learned counsel appearing for the State and informant oppose the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that there is land dispute between the parties and petitioner has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah West Champaran in Yogapatti (Sanichari) Police Station Case No. 328 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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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