

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19395 of 2021**

Arising Out of PS. Case No.-3 Year-2020 Thana- FALKA District- Katihar

SHIVAN MAHTO @ SHIV NARAYAN MAHTO SON OF LATE
CHHATHU MAHTO R/O VILLAGE- MADHYA RAHTA, P.S.- FALKA,
DISTRICT- KATIHAR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 28-04-2022 Heard Mr. Bimal Kumar, learned Advocate for the
petitioner and the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Falka P.S. Case No. 03 of 2020 dated 03.01.2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 448, 379 and 506 of the Indian Penal Code.

The petitioner and one Upendra Mahto are said to have assaulted one Dharmendra Mahto by means of a sword. In the FIR, there is specific accusation against Upendra Mahto of having assaulted Dharmendra Mahto thrice in his stomach.

However, from the injury report, it appears that the injuries suffered by Dharmendra Mahto and Chanka Mahto, the other victim, are all simple in nature, caused by hard and blunt substance.



Upendra Mahto, who is said to have assaulted Dharmendra Mahto thrice, has been granted regular bail by the court below.

Learned counsel for the petitioner has submitted that there is a pending dispute between the parties and has also drawn the attention of this Court to a complaint petition lodged against the informant of the subject FIR and others. In the aforementioned transaction, the petitioner also has received injuries.

Considering the afore-noted fact and taking into account that the petitioner does not have criminal antecedent, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Katihar in connection with Falka P.S. Case No. 03 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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