

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19239 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- KHANPURA District- Samastipur

Rajesh Mahto, aged about 42 years (Male), S/O Late Baidhnath Mahto R/o village- Bhore Jairam, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr. APP

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

2 04-04-2022 Heard Mr. Kumar Praveen, learned advocate for the petitioner. The State is represented learned Additional Public Prosecutor.

The petitioner seeks bail in anticipation of his/her/their arrest in connection with Khanpur P.S. Case No. 49 of 2020 dated 24.04.2020 instituted for the offences under Sections 341, 323, 307, 324, 354B, 379, 504, 34 of the Indian Penal Code.

The petitioner is said to have assaulted the son of the Informant by means of spade as he had spat on the stack of firewood belonging to the petitioner.

The learned advocate for the petitioner submits that though the injury suffered by the son of the Informant has been reported to be grievous but the dimensions of injury belie such



assessment. It has further been submitted that because of the
aforestated dispute, there was a scuffle between the son of the
Informant and the petitioner as a result of which he fell down on
the stack of firewood, leading to injuries on his person.

Apart from this, it has been submitted that the parties
are agnates and there is a land dispute going on between them.

Considering the background facts and the aforementioned
arguments, the petitioner 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-IVth, Samastipur in connection with Khanpur P.S.
Case No. 49 of 2020, subject to the conditions as laid down
under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

rishi/-

U		T	
---	--	---	--

