

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25138 of 2022

Arising Out of PS. Case No.-136 Year-2020 Thana- MATIHANI District- Begusarai

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Kailash Mahton @ Kailash Mahto @ Kailu Mahto, S/o Late Jhojho Mahto @ Jhojho Mahto Resident of Village- Matihani, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-08-2022 Heard learned counsel for the petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Matihani P.S. Case No.136 of 2020 instituted under Sections 341,323,337,338,307,504,506,34 of the Indian Penal Code.

As per the allegation in the FIR, the informant has alleged that amongst other, it was the petitioner herein who had assaulted Pramila Devi, causing grievous injury to her.

Mr. Sandip Kumar Gautam, learned counsel for the petitioner submits that there was free fight between the parties and there is no eyewitness to support the prosecution story that



it was the petitioner who had assaulted Pramila Devi.

Considering the fact that there is specific allegation against the petitioner that he has caused grievous injury to the Pramila Devi, as also the fact that the FIR was registered in October, 2020 whereas he choose to come into judicial custody only in the month of March 2022, this Court for the present is not inclined to grant him privilege of bail, which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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